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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Initial reports of States parties

UZBEKISTAN*

* The present document is being issued without formal editing.

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General Introduction

1. Land and people

The Republic of Uzbekistan gained state independence on 1 September 1991.

The capital city is Tashkent. The Republic of Uzbekistan covers an area of 448,900 square kilometres. The Republic comprises the Republic of Karakalpakstan, 12 regions (oblasts) and the city of Tashkent, 121 towns and cities, and 163 rural districts.

As of 1 January 1999, the total population was 24.2 million, with the urban population numbering 9.1 million (37.8%) and the rural population 15.1 million (62.2%).

The average annual growth rate of the population was 2.4% during the period from 1980 to 1989 and 1.6% during the period from 1990 to 1998. The urban population has increased by 10.3% and the rural population by 25.4% compared with 1990 levels.

The population density as of 1 January 1998 stood at 53.3 persons per square kilometre. Of the total resident population, 11,819,900 (49.7%) were men and 11,952,400 (50.3%) women, with children under 15 years of age accounting for 42%; there were 11 million children under 18 years of age, which is equivalent to 46.2% of the total population.

The growth of the Republic's population is mainly attributable to natural growth, i.e. to the continuing high birth rate (the number of children born in 1998 was 553,000). This is affirmed by the trend in the birth rate, the principal factor determining the rate of population reproduction. For many years, the overall birth rate remained at a level of between 33 and 34 per thousand, but over recent years it has declined significantly, down to 21.7 per thousand in 1998. The very high birth rate continues only in the Surkhandarya, Kashkadarya, Djizak and Namangan regions, i.e. in regions with a bias toward agricultural development.

Uzbekistan is a multi-ethnic Republic, as the region has been since earliest times. As of 1 January 1998, more than 120 nationalities were resident within the country. The majority of the population (77.2%) are Uzbeks. Other ethnic groups comprising more than 1 per cent of the total population include 1.2 million Russians (5.2%), 1.1 million Tajiks (4.8%), 900,000 Kazakhs (4.0%) and 300,000 Tatars (1.4%).

The Republic of Uzbekistan is a major economic region. In 1997, total GDP stood at 976,800 million som, equivalent to 41,294 som per capita. The GDP index deflator in 1997 was 166.1%. The annual growth rate of GDP in 1997 was 5.2% and the annual rate of growth of GDP per capita stood at 2.5%. The average monthly rate of inflation was 6.1% in 1997.

The level of unemployment, based on the total population in active employment, was 40,100 persons at the end of 1998.

Uzbekistan is a country with a high rate of literacy. The literacy rate is 99.1%. The majority of people who are illiterate are found among older age groups - ages 70 and above. Thus, in the 16 - 29 age group, illiterate men and women make up only 0.3%. Among inhabitants aged 65 and above, 30.2% of women and 17.7% of men are illiterate.

The level of education in Uzbekistan is quite high. At the present time, 986 out of every 1,000 workers had a specialized education. Of these, 142 (15% of persons educated) are specialists with a higher or incomplete higher education, 199 (21%) had a specialized secondary education, 480 (50.6%) a general secondary education and 127 (13.4%) an incomplete secondary education. There are 60 higher educational institutions in Uzbekistan. One in four persons employed in the economy had a higher education or specialized secondary education.

According to data in the Human Development Report: Uzbekistan in 1998 prepared by the United Nations Development Programme and the Centre for Economic Research, average life expectancy in Uzbekistan was 72.7 years for women and 68.1 years for men.

According to data from the Ministry of Health, infant mortality in 1998 stood at 21.7 per 1,000 live births and maternal mortality at 28.6 per 100,000 live births.

2. Main economic indicators

Macroeconomic indicators
(based on data from Uzbekistan's State Statistical Department)

	Unit of measurement	During 1 quarter (in actual prices)		Movement in % during year (in comparable prices)	
		1997	1998	1997	1998
1. Gross domestic product (GDP)	som (billions)	158.3	224.3	101.7	103.3
including (as percentage of GDP)					
industry	%	21.3	18.2		
construction	%	7.1	6.1		
agriculture	%	6.6	8.7		
services sector	%	48.9	45.6		
net taxes	%	16.1	21.4		
2. Volume of output of industrial products	som (billions)	156.6	192.5	104.2	104.3
Goods for domestic consumption - total	som (billions)	76.3	80.4	109.1	105.4
including:					

foodstuffs	som (billions)	32.3	36.1	103.8	111.8
non-foodstuffs	som (billions)	36.5	37.2	111.7	101.9
3. Gross agricultural production	som (billions)	26.1	45.8	100.3	103.4
4. Total volume of capital investments (from all sources of finance)	som (billions)	38.6	45.8	110.0	103.5
Volume of contracted construction works completed with own resources	som (billions)	22.2	32.2	101.0	102.2

Social indicators (based on data from Uzbekistan's State Statistical Department)

Total	Unit of measurement	During 1 quarter (in actual prices)		Movement in % (in comparable prices)	
		1997	1998	1997	1998
Total population (at end of period)	thousand persons	23,556.3	23,955.7	101.9	101.7
Total economically active population	thousand persons	8,370	8,459	101	101.1
Total employed in the economy	thousand persons	8,330	8,418	100.9	101.1
Total unemployed	thousand persons	31.6	33.6	102.5	106.3
Average monthly wage	som	3,057.2	4,382.4	1.7*	143.3
Cash income of population	som (billions)	116.9	166.8	2.1*	1.4*
Cash expenditure and savings	som (billions)	110.8	170.4	2.1*	1.5*
Cash expenditure of population to purchase goods and services	som (billions)	98.2	152.9	2.1*	1.6*
Volume of sales of paid services to the population (including informal sector of paid services)	som (billions)	11.9	21.4	116.7	115.5

* In multiples, in actual prices.

3. General political structure

The Republic of Uzbekistan, a sovereign democratic state which has proclaimed its adherence to human rights and the principles of state sovereignty, confirms its commitment to the ideals of democracy and recognizes the priority of the universally accepted rules of international law. Having chosen a democratic path of development, the people of Uzbekistan, seeking to establish a state based on the rule of law with a socially oriented market economy and to build upon and secure on a constitutional footing the independence they have attained, have debated and approved the Basic Law, the Constitution of the Republic of Uzbekistan. The Constitution was publicly debated in the press. Any citizen of Uzbekistan was able to voice his/her suggestions and opinions and to put forward amendments via the press. The Constitution was adopted on 8 December 1992 at the eleventh session of the Supreme Council of the Republic of Uzbekistan twelfth convocation. The Constitution of the Republic of Uzbekistan is based on the interests of the individual and of society. In this regard, it harmonizes interaction between them by acknowledging their social partnership. By linking the citizen and the State by their reciprocal rights and reciprocal responsibilities, the Constitution defines the legal basis of their concerted actions.

The state, in acting as the principal reformer during the difficult transitional period, has currently adopted the role of guarantor of the observance of human rights and freedoms.

Under the Constitution, the people are the sole source of state authority in the Republic of Uzbekistan. Democracy is based on the freely expressed will of the people to determine its political, economic, social and cultural life.

State authority in the Republic of Uzbekistan is exercised in the interests of the people and solely by bodies empowered to do so by the Constitution of the Republic of Uzbekistan and by legislation adopted on the basis of the Constitution.

Only the Oliy Majlis (Supreme Assembly) and the President of the Republic of Uzbekistan, elected by the people of Uzbekistan, may act on their behalf. No section of society, political party, public association, movement or individual person may act on behalf of the people of Uzbekistan.

An integrated system of state legal regulation of the process of democratic transformation and socio-economic reform in Uzbekistan has now developed. It organically combines all the branches of authority: the presidential form of government and the legislature, executive and judiciary.

Article 11 of the Constitution states: "The principle of the separation of power between the legislative, executive and judicial authorities shall underlie the system of state authority in the Republic of Uzbekistan."

A. Legislative authority

Legislative authority is exercised by the Oliy Majlis, the Parliament of the Republic of Uzbekistan, the highest state representative body.

Constitutional laws on elections to the Oliy Majlis and on the Oliy Majlis of the Republic of Uzbekistan stipulate the organizational procedures and legal status of the Parliament of the Republic of Uzbekistan.

In accordance with article 83 of the Constitution, "The Oliy Majlis of the Republic of Uzbekistan shall pass laws, decisions and other acts. Any law shall be adopted when it is passed by a majority of the total voting power of the deputies of the Oliy Majlis".

The promulgation of laws and other normative acts is a compulsory condition for their enforcement.

B. Executive authority

The President of the Republic of Uzbekistan is the head of state and of executive authority in Uzbekistan. The President is simultaneously the Chairman of the Cabinet of Ministers.

The President of the Republic of Uzbekistan is elected by the citizens of the Republic of Uzbekistan on the basis of universal, equal and direct suffrage for a term of five years.

Any citizen of the Republic of Uzbekistan who has reached the age of 35, is in full command of the state language and has permanently resided in Uzbekistan for at least 10 years immediately preceding the elections is eligible for the post of President of the Republic of Uzbekistan (Article 90 of the Constitution of the Republic of Uzbekistan).

The Cabinet of Ministers provides guidance for effective management of the economy and social and spiritual development and is responsible for the execution of the laws and other decisions of the Oliy Majlis, as well as of the decrees, enactments and ordinances of the President of the Republic of Uzbekistan, in accordance with existing legislation. It issues enactments and ordinances which are binding on all administrative bodies, enterprises, organizations, officials and citizens throughout the Republic of Uzbekistan. The Cabinet of Ministers tenders its resignation to a newly elected Oliy Majlis.

C. Judicial authority

Judicial authority in Uzbekistan functions independently from the legislative and executive branches, political parties and other public associations. Judicial authority in Uzbekistan is exercised by a system of judicial bodies:

(a) the Constitutional Court of the Republic of Uzbekistan, which hears cases relating to the constitutionality of acts passed by the legislative and executive branches;

(b) the Supreme Court of the Republic of Uzbekistan, which is the highest judicial body of civil, criminal and administrative law;

(c) the Higher Economic Court of the Republic of Uzbekistan, which settles disputes arising in the economic sphere;

(d) the Supreme Court of the Republic of Karakalpakstan;

(e) the Economic Court of the Republic of Karakalpakstan;

(f) regional courts, the Tashkent City Court and district (city, town) courts;

(g) courts martial;

(h) regional economic courts and the Tashkent City Economic Court.

In accordance with article 112 of the Constitution: "Judges shall be independent and subject solely to the law. Any interference in the work of judges in administering the law shall be inadmissible and punishable by law.

The immunity of judges shall be guaranteed by law.

The Chairmen and the members of the Supreme Court and the Higher Economic Court may not be deputies of the Oliy Majlis of the Republic of Uzbekistan.

Judges, including district judges, may not belong to any political parties or movements, nor hold any other paid posts.

Before the completion of his term of office, a judge may be removed from his post only on grounds specified by law."

D. Fundamental principles of local bodies of state authority

In addition to the higher bodies of state authority - the Oliy Majlis, the President of the Republic of Uzbekistan, the Cabinet of Ministers, the ministries and departments - there are local bodies of authority, the Soviets of People's Deputies and khokims, which act to resolve social matters at the regional, district, town and city levels.

The institution of the khokim is the traditional form of authority in Central Asia, historically tried and tested through practical experience of development. Its roots lie in the distant past. This institution of authority is the embodiment of experience in national state administration. It is based on the principle of personal responsibility and empowered to address people's pressing needs and problems. Khokims exercise their powers in accordance with the principle of one-man management (article 103 of the Constitution).

The khokim makes, within the powers vested in him, decisions which are binding on all enterprises, institutions, organizations, associations and officials and citizens in the relevant territorial area (article 104 of the Constitution).

4. General legal framework for the protection of human rights in Uzbekistan

A. Constitutionally enshrined human rights and freedoms

The system of national legislation comprises the Constitution, the Constitutional Laws, the promulgation of which is prescribed by the Constitution, branch codes, laws of direct effect, decrees of the President of the Republic of Uzbekistan, decisions of the Cabinet of Ministers and acts passed by central and local bodies of authority and state administrative bodies.

The general legal framework for the protection of civil and political rights is provided by the country's Constitution. In regulating fundamental human rights and freedoms, the Basic Law of the Republic of Uzbekistan is based on the principles of the primacy of international law, social justice, the universal equality of its citizens and the mutual responsibilities of the citizen and the state.

It enshrines the principle of the inviolability of the rights and freedoms of citizens and the human right to legal protection.

The Constitution of the Republic of Uzbekistan guarantees and establishes the equality of citizens before the law, their equal rights and freedoms and the inadmissibility of exercising rights and freedoms to the detriment of the interests of other persons, the state or society. The following rights and freedoms of the individual are enshrined in articles 25 to 27 of the Constitution of Uzbekistan: the right to freedom and the inviolability of the person; the right of a person not to be adjudged guilty of a crime except by the sentence of a court and in conformity with the law and the right to a legal defence during open court proceedings; the right to protection against torture and violence, the right to protection against encroachments on his honour and dignity and against interference in his private life and the right to the inviolability of the home; it is forbidden to carry out a search or an examination or violate the privacy of correspondence or telephone conversations, except on grounds provided for by law.

The rapid growth in the amount of legislation is a distinctive feature of the modern legal system of Uzbekistan. Over the period of eight years of independent legal development in Uzbekistan, a Civil Code, Family Code, Criminal Code, Civil Procedural Code, Taxation Code and other codes (15), more than 300 laws (constitutional and of direct effect) and a series of subordinate normative acts have been elaborated and adopted, in addition to the Constitution and constitutional laws. The new legislation serves as a judicial framework for establishing state sovereignty, the democratization of society, the transition to a socially-oriented market economy and the development of economic, trading, cultural and mutually beneficial relations with foreign states.

In her foreign and domestic policies, Uzbekistan adheres to the principle of the precedence (primacy) of generally accepted rules of international law over national legislation. However, direct enforcement of the rules of international law in establishing the fact of a violation of human rights has not yet been put into practice; when the above-mentioned laws were elaborated and adopted they underwent scrutiny by experts from international and national

organizations. An important body conducting expert legal appraisal of draft laws and laws in force in the area of human rights is the Institute for Monitoring Legislation in Force attached to the Oliy Majlis of the Republic of Uzbekistan.

B. Legal protection of the rights and freedoms of citizens: the system of administration of justice and the independence of the judges

Judicial authority plays a fundamental role in protecting human rights and freedoms. A court may make use of a law and a right by analogy, be guided in its decision-making not only by the letter but also by the spirit of the law and by legal axioms and principles. The system of justice has played a vital role in developing Uzbekistan's legal system and the climate of the rule of law in society. Above all, it has the task of enforcing legal rules correctly and of clarifying the role and meaning of laws for the public. In order to make access to the system of justice easier for citizens, departments have been set up in khokims' offices (khokimiyats) at all levels to examine citizens' complaints.

The legislative base of a court structure designed to address specific tasks and safeguard the interests and rights of citizens is currently being developed in Uzbekistan. The capacity of the courts to enforce laws effectively is being secured through legislation. The independence of the judicial authorities is constitutionally guaranteed.

A system is being perfected for drafting, preparing, reviewing, codifying and implementing legislative acts aimed at protecting human rights and freedoms. In accordance with the law on procedures for the preparation of legislative acts of the Republic of Uzbekistan, the prime aim of legislating activity by the Parliament of Uzbekistan is to pass laws safeguarding human rights. A course on human rights has been included in the curricula of legal educational institutions responsible for the training and retraining of court personnel and the staff of the Procurator's Office and investigation agencies.

C. Supervision of the implementation of human rights legislation

In accordance with the Constitution of the Republic of Uzbekistan and the law on the Procurator's Office, the responsibility for supervising the strict and uniform observance of national laws on the territory of the Republic of Uzbekistan lies with the Procurator's Office under the direction of the Procurator-General. The principal aim of the activities of agencies of the Procurator's Office is to supervise the implementation of legislation aimed at protecting people's rights, freedoms and lawful interests. The agencies of the Procurator's Office take steps within their authority to restore rights which have been infringed and to protect the lawful interests of citizens. The Procurator's Office is authorized to conduct inquiries and take other action both when investigating crimes and when establishing the facts of an infringement of the law. To these ends, the Procurator's Office may draw on the resources of agencies of internal affairs and of the national security service which are entitled under article 339 of the Criminal Procedural Code of the Republic of Uzbekistan to conduct operational work and investigations.

The agencies of the Procurator's office are guided in their activities solely by the Constitution and laws of the Republic of Uzbekistan.

D. National mechanism for monitoring the protection of human rights

The key specialist institutions dealing with issues of human rights protection are: the Constitutional Court, which was established in 1992 and whose objectives are to determine the constitutionality of acts of the legislative and executive authorities, the Commissioner for Human Rights (Ombudsman) of the Oliy Majlis, the Commission on the Observance of the Constitutional Rights and Freedoms of Citizens attached to the Commissioner for Human Rights (Ombudsman) of the Oliy Majlis, the Institute for Monitoring Legislation in Force attached to the Oliy Majlis, the Ministry of Justice and the National Centre for Human Rights of the Republic of Uzbekistan.

The institutions of the parliamentary Commissioner for Human Rights and the Commission on the Observance of the Constitutional Rights and Freedoms of Citizens attached to the Commissioner for Human Rights of the Oliy Majlis were established in 1995. These institutions were established on the initiative of the President of the Republic in order to create a mechanism for the additional protection of the rights and freedoms of citizens. In accordance with the law on the Commissioner for Human Rights of the Oliy Majlis of the Republic of Uzbekistan, dated 24 April 1997, the responsibilities of the Commissioner include: carrying out parliamentary checks on the implementation of laws on human rights, both on its own initiative and on the basis of appeals by citizens on the grounds that their rights have been violated. From 1996 to 1998, the Ombudsman verified implementation of, inter alia, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child.

In May 1996, the Government of Uzbekistan officially approached UNDP for assistance in drafting a law on the institution of the Ombudsman. A law on the Commissioner for Human Rights of the Oliy Majlis (Ombudsman), drawn up with technical assistance from UNDP, was adopted in April 1997.

The Institute for Monitoring Legislation in Force attached to the Oliy Majlis of the Republic of Uzbekistan is a scientific research institute which was established in pursuance of a decision of the Oliy Majlis of the Republic of Uzbekistan of 3 December 1996. The main objectives of the institute are to examine the conformity of legislation currently in force with international rules and requirements regarding human rights, to draft proposals for incorporating rules of international law on human rights into current legislation of the Republic of Uzbekistan, to study and draw general conclusions regarding the practical enforcement of law to promote and protect human rights, to draw up recommendations for improving legislation currently in force, to carry out examinations by experts (including also foreign experts and institutions) of draft laws and to draw up proposals regarding plans and programmes of legislative work.

The Institute for Monitoring Legislation in Force attached to the Oliy Majlis of the Republic of Uzbekistan conducted, at the request of the Women's Committee of the Republic of Uzbekistan, an analysis of laws currently in force in Uzbekistan. The main focus of attention was on those articles which are

directly connected with legal protection for women, responding to and safeguarding their interests in a wide variety of areas of their daily lives. The compilation Survey of Current Legislation was published as a result. It includes the fundamental documents affecting the detailed aspects of women's lives.

The Ministry of Justice implements organizational support for the activity of the Supreme Court of the Republic of Karakalpakstan, of the regional courts and Tashkent City Court and of the district city courts under strict observance of the principle of the independence of the judges and of their being subject solely to the law. In order to provide access for broad sections of the population to the real machinery of legal protection, a special Department has been established within the Ministry structure to examine citizens' complaints and claims. "Adolat", a centre for legal aid, has been set up under the auspices of the Ministry of Justice.

The National Centre for Human Rights of the Republic of Uzbekistan was established by a Presidential decree of 31 October 1996 in order to coordinate the activity of all governmental and non-governmental organizations connected with protecting human rights. The Centre carries out research into the various aspects of protecting and safeguarding human rights, both at the national and international levels; organizes programmes of study, seminars, courses of lectures and study trips; provides assistance in developing and implementing human rights study programmes; compiles and disseminates information about human rights; develops technical cooperation and information links with international centres or organizations concerned with human rights; coordinates locally the activities of international agencies providing technical assistance on issues of democratisation, administration and human rights protection and publishes a specialist journal on human rights.

1. Legislative protection of the personal rights of women

1. Right to life

Under article 24 of the Constitution of the Republic of Uzbekistan the right to life is the inalienable right of every human being. Attempts on anyone's life are regarded as the gravest crime.

In 1998, amendments were introduced to the Criminal Code of Uzbekistan abolishing the death penalty as a punishment for the following crimes: violent satisfaction of sexual demands in an unnatural form, infringement of the laws and customs of war, attempts on the life of the President of the Republic of Uzbekistan, espionage and smuggling.

Under the criminal legislation of Uzbekistan the death penalty cannot be imposed on women and persons who have committed a crime below the age of 18.

2. Right not to be subject to torture or cruel, inhumane and humiliating treatment or punishment

Legislation of the Republic of Uzbekistan prohibits the use of torture and of other cruel, inhumane or humiliating forms of treatment or punishment. In accordance with article 25 of the Constitution of the Republic of Uzbekistan: "Everyone shall have the right to freedom and inviolability of the person. No one may be arrested or taken into custody except on lawful grounds." Part 2 of article 26 states that: "No one may be subject to torture, violence or any other cruel or humiliating treatment." Special rules prohibiting illegal actions of this kind are contained in a number of other legislative acts of Uzbekistan, in the Criminal Code, Criminal Procedural Code and Criminal Implementation Code.

In accordance with the requirements of the rules of criminal procedural legislation in Uzbekistan: "the preliminary investigator, investigator, procurator and judge shall be obligated to take steps not to disclose evidence revealed during investigation and court examination about the personal life of the suspect, accused, defendant, victim and other persons. For this reason, the group of persons present when investigative or legal actions are taken during which such evidence may be revealed shall be restricted, and those present shall be warned of their liability for disclosure of such evidence".

In the event of an infringement of these rules by criminal legislation of the Republic of Uzbekistan, the staff of law-enforcement agencies may be called to account. Moreover, in accordance with paragraph 6 of decision No.2 of the plenum of the Supreme Court of the Republic of Uzbekistan on the court judgement, dated 2 May 1997: "any evidence obtained in breach of the law shall not have legal force and may not be taken as the basis of a judgement".

In accordance with the requirements of article 17 of the Criminal Procedural Code, a judge, procurator, investigator and preliminary investigator are obligated to respect the honour and dignity of persons involved in a case. No one may be subject to torture, violence or any other cruel or treatment that degrades the honour and dignity of the person and it is prohibited to take actions or deliver judgements which degrade the honour and dignity of a person, result in the dissemination of information about the circumstances of his personal life, place his health under threat or subject him without reason to physical and moral suffering.

In accordance with article 88 of the Criminal Procedural Code, it is prohibited when substantiating evidence:

1. to commit acts which endanger the life and health of persons or degrade their honour and dignity;

2. to demand evidence, explanations, conclusions, the performance of experimental acts and the production and handover of documents or objects by means of violence, threats, blackmail and other illegal measures;

3. to conduct investigations at night, i.e. from 22.00 hours to 06.00 hours, except in cases where this is essential in order to stop a crime from being prepared or committed, to prevent the possible loss of traces of the crime or

the escape of the suspect, or to conduct an experiment to reproduce the circumstances of the event under investigation.

Preliminary investigators, investigators, procurators, judges and, with the exception of doctors, other persons involved in a case as specialists or experts are prohibited from being present when a person of the opposite sex is stripped in connection with the implementation of an investigative or forensic action.

Criminal legislation of the Republic of Uzbekistan stipulates that the staff of law-enforcement agencies will be held liable for the use of torture and cruel and inhumane treatment. In order to prevent the practice whereby persons known to be innocent are held to answer criminal charges, chapters 230 to 236 of the Criminal Code stipulate that criminal acts by officials in judicial matters in the form of holding a person known to be innocent as the defendant accused of having committed a socially dangerous act, passing an unfair judgement, failing to execute the decision of a court or illegal arresting and detaining a person in custody, are punishable in criminal proceedings.

Articles 234 and 235 of the Criminal Code stipulate criminal liability for knowingly carrying out an arrest, that is, the short-term restriction of a person's liberty, illegally and for coercing a person to give evidence, that is exerting psychological and physical influence on a suspect, defendant, witness, victim or expert by means of using threats, inflicting blows, beatings or torture, causing pain, inflicting light or moderately severe bodily injuries, or for other illegal acts. In both cases, criminal liability (within limits ranging from a fine to up to eight years' deprivation of liberty) is provided for in respect of special subjects: staff of law-enforcement agencies (preliminary investigators, investigators and procurators).

Statistical data on criminal cases examined in court
(based on data from the Supreme Court of the Republic of Uzbekistan)

Articles of the Criminal Code	1994		1995		1996		1997		1998	
	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women
122	452	-	439	-	756	-	915	-	981	-
126	10	-	13	-	29	-	30	-	18	-
136	203	-	69	-	103	-	104	-	80	-

3. Right to freedom and security of the person

The right to inviolability of the person is guaranteed for all citizens irrespective of gender by article 25 of the Constitution of the Republic of Uzbekistan. Legal regulations governing the restriction of liberty are implemented in the Criminal Procedural Code.

The restriction of liberty, both for short and long periods of time, is permitted by legislation only in relation to persons suspected of having

committed a crime or persons in relation to whom an appropriate court judgement has been delivered.

The arrest of a citizen, as a temporary restriction of liberty, is permitted only on the decision of a preliminary investigator, investigator or procurator or on the ruling of a court.

In accordance with article 221 of the Criminal Procedural Code, a person suspected of having committed a crime may be arrested provided the following grounds apply, when:

- the person was caught while committing the crime or immediately after it had been committed;

- witnesses, including victims, point directly to the said person as having committed the crime;

- clear evidence of having committed the crime will be found on him or on his clothing, in his possession or at his home;

- information is available giving grounds to suspect the person of having committed the crime, and where the person attempted to escape or does not have a permanent place of residence or the person's identity has not been established.

Persons arrested on suspicion of having committed a crime are released if:

- the suspicion of having committed the crime is not corroborated;

- there is no need to apply restraining measures on the arrested person in the form of detention in custody;

- the specified term for arrest has expired.

The detainee is released by the person in charge of the detention centre on the decision of a preliminary investigator, investigator or procurator or on the assessment and ruling of a court. A ruling or assessment concerning release is made immediately after the arrival of the detainee at the detention centre.

Having established an absence of grounds for continued arrest, the preliminary investigator and investigator are bound to release the detainee immediately.

Where required, the administration of the detention centre will provide released persons with transport to their place of residence free of charge; at their request it will issue certification of the time spent at the detention centre.

Any losses caused to a person by unlawful arrest are compensated for in full if a verdict of acquittal has subsequently been returned or the case has been withdrawn on grounds provided for by article 83 of this Code.

Under article 555 of the Criminal Procedural Code of the Republic of Uzbekistan, there is, in addition to other measures of restraint, provision for: undertakings of good behaviour, personal guarantees, guarantees given by a public association or group, bail and release under supervision. A minor may also be released into the supervision of parents, guardians, trustees or the head of a children's institution if he is being raised in such an institution.

In accordance with article 558 of the Criminal Procedural Code of the Republic of Uzbekistan, detention in custody may be applied as a restraining measure only in exceptional cases where a minor has been charged with having committed a crime for which a period of deprivation of liberty of up to three years may be ordered and where other restraining measures may not guarantee the appropriate behaviour of the accused.

Juveniles deprived of their liberty are granted the right of immediate access to legal assistance by ensuring the involvement of defence counsel from the moment of initial interrogation as a suspect or defendant onward. The inclusion in the Criminal Code of legal rules stipulating the mandatory involvement at all interrogations of minors of the latter's legal representatives or parents may be considered one of the methods of providing a heightened guarantee that the rights and legal interests of minors are protected.

In compliance with article 51 of the Criminal Code of the Republic of Uzbekistan, the death penalty is not applied with regard to women and persons who have not reached the age of eighteen.

4. Equal right to protection under the law

In accordance with article 18 of the Constitution of Uzbekistan, all citizens of the Republic of Uzbekistan have equal rights and freedoms and are equal before the law, without discrimination by sex, race, nationality, language, religion, social origin, convictions, individual and social status. Any privileges may be granted solely by the law and must conform to the principles of social justice.

Both citizens of the Republic of Uzbekistan and the state are bound by mutual rights and mutual responsibility. The rights and freedom of citizens established by the Constitution and the laws are inalienable. No one has the power to deny a citizen his rights and freedoms or to infringe on them except by the sentence of a court.

Everyone is guaranteed the legal protection of his rights and freedoms and the right of appeal to a court against illegal acts by state bodies, officials and public associations.

In accordance with article 1 of the law of the Republic of Uzbekistan on appeals by citizens, all citizens of the Republic of Uzbekistan involved in the administration of state and public affairs are entitled, in implementing the rights and freedoms granted to them by the Constitution of the Republic of Uzbekistan and by other laws:

- to appeal to defend their lawful rights and interests;

- to have any rights which have been infringed restored by authorized state bodies and public associations.

Citizens of the Republic of Uzbekistan may appeal on behalf of other persons and organizations. Appeals may be individual or collective and submitted verbally or in writing in the form of proposals, applications or complaints.

When examining appeals, employees of state bodies, public associations, enterprises, institutions and organizations are not permitted to disclose information concerning the personal life of citizens without their consent, nor any other information where the latter infringes citizens' rights and lawful interests. It is also not permitted to inquire into information about the identity of the citizen that does not relate to the appeal. At the request of a citizen, information about his/her identity must be treated as confidential.

In compliance with article 10 of the said law, officials are bound within the limits of their authority:

- to examine complaints objectively, thoroughly and in good time;

- to rescind or amend decisions which are appealed against and do not comply with the law, to take immediate steps to stop illegal actions and to clarify the reasons and conditions which contributed to the infringements occurring;

- to ensure the restoration of a citizen's rights that have been infringed and the actual execution of decisions taken in connection with a complaint;

- to notify a citizen in writing of the results of the examination of the complaint and of the substance of the decision reached.

It is prohibited by law to prosecute citizens in connection with appeals and to coerce them into involvement in actions to defend against an appeal.

The powers of parliamentary control of the provision of equal rights to defence under the law are held by the Ombudsman. The Ombudsman examines complaints about the actions and inaction of organizations or officials who have infringed citizens' rights, freedoms and lawful interests, and has the right to conduct inquiries. The Ombudsman does not examine questions relating to the competence of a court.

Equal conditions have been established for women to appeal to the Ombudsman who receives appeals from citizens daily without regard to remuneration and without any restrictions and provides assistance in restoring their rights. Women constitute over 60% of the total number of persons lodging complaints.

Analysis of the Ombudsman's work with citizens indicates that many of the women who have complained are not in employment on account of illness, unwarranted dismissal or due to family circumstances. Appeals are made to the

Ombudsman by women in connection with the problems which they are experiencing as a result of difficult material circumstances, lack of housing, lack of water and gas at their place of residence, job losses and family problems.

The National Centre for Human Rights has since the date on which it was founded operated a public reception centre on rights and since 1998 a reception centre on rights of the child, both of which provide legal counselling services free of charge. More than 500 people, about 65% of whom are women and children, apply to the centres each year.

Many public and state organizations provide free legal services to needy sections of the population on the basis of grants received from international funds and organizations. Thus, lawyers specializing in legal counselling on housing affairs of the Tashkent City Barristers' College provided 756 free consultations in the period from July to the end of March 1999 and defended the interests of citizens, the majority of whom were women, in court on an unpaid basis. Similar services are provided, inter alia, by the Samarkand Crisis Centre "Sabr", the Centre for Legal Aid for Women "Khimoya", the Women's Support Centre "Aziza" and the women's society "Mekhri".

5. Right to favourable and just working conditions

Legal conditions have been established in Uzbekistan for excluding discrimination against women and encouraging them to take an active part in the economic and social life of the country. The equal rights of women and the prohibition of gender-based discrimination are enshrined in the Constitution. Under labour legislation, women are granted equal opportunities to make use of their employment rights, as well as guarantees of their protection. In accordance with article 37 of the Constitution of the Republic of Uzbekistan as well as under article 6 of the Labour Code, no restrictions are permitted in the area of labour relations on the basis of gender. Persons who have been subject to gender-based discrimination may appeal to a court in accordance with established procedures for compensation for any moral and material losses they have incurred.

In addition, additional guarantees have been provided for them in the employment sphere in connection with fulfilment of their family obligations: these include, inter alia, guarantees concerning the employment (dismissal) of pregnant women and women who have children, the ban on utilizing women's labour in jobs with unfavourable working conditions, the provision of maternity leave as well as of parental leave and of an additional day off and the provision of other leave.

In the period from 1996 to 1999, a number of amendments to the labour laws were introduced. Thus, the period [of parental leave] for childcare has been increased from 1.5 years to 3 years; it is prohibited in all branches of the economy without exception to employ women for night-time and overtime work; additional benefits adopted include the establishment of privileges for women in the system of working hours, the granting of additional leave for women who have children under 14 years of age and guarantees for pregnant women and women who have children in the event of termination of their employment contract.

Amendments have been introduced to the "Schedules of jobs with unfavourable working conditions" which include a number of occupations and jobs with strenuous, dangerous and hazardous working conditions in which it is forbidden to employ women's labour, inter alia, in the oil and gas sector, food industry, light industry and in construction; girls under 18 years of age are prohibited, inter alia, from harvesting cotton by hand and selling wines and spirits. In addition, under health and safety standards there has been a significant reduction in the maximum permissible weights for women to lift and move when working with heavy loads: thus, the maximum levels for women transporting heavy loads have been reduced from 15 kg to 9 kg and for girls from 10 kg to 7 kg.; the norms for handling heavy loads have been reduced for women from 10 kg to 6 kg and abolished altogether for girls; the total weight of loads operated during a work-shift has been cut from 7,000 kg to 250 kg, and so on.

Various benefits and compensation payments are granted to women working in unfavourable working conditions. The existing system of benefits and compensation payments for work in strenuous and hazardous working conditions provides for: additional leave depending on the level and risk of the work carried out; a system of preferential working hours; free medical and prophylactic supplies, free dairy products, enhanced wage rates as well as premiums based on working conditions and intensity.

In accordance with the State Pension Provision Act, women working in strenuous, hazardous and dangerous employment conditions are granted preferential pensions for individual categories of workers.

2. Legislative safeguarding of the principle of equal rights

Article 2 of the Family Code of the Republic of Uzbekistan, which was adopted in 1998, provides for the equality of personal and property rights of men and women in marital relations. Women are entitled on an equal basis with men to implement their rights in court and to appeal against unlawful acts committed against them in administrative proceedings. The law on citizens' appeals guarantees equitable consideration of an appeal.

All citizens of the Republic have the right to education. The right to receive free education is guaranteed by the Government and enshrined in Article 41 of the Constitution of Uzbekistan. Article 42 of the Constitution of Uzbekistan guarantees the freedom of scientific research and engineering work and equal rights to enjoy cultural benefits. The state provides free general education for all its citizens. The equal rights of men and women to receive education are set out in the Education Act of the Republic of Uzbekistan. Equal rights with men to physical education and sporting activity are established for women in article 2 of the Physical Culture and Sport Act.

Legal and social guarantees concerning the establishment of equal rights to obtain work under market economic conditions are stipulated by the Employment Act of the Republic of Uzbekistan.. Labour legislation in Uzbekistan provides for a number of benefits for pregnant women and women who have children under 2 years of age. Normative acts of the Ministry of Labour and Ministry of Health in coordination with the Council of Trades Union Federations of Uzbekistan

specify the types of unfavourable working conditions under which the use of women's labour is prohibited. An infringement of the labour laws is viewed as a crime and entails liability under article 148 of the Criminal Code of the Republic of Uzbekistan.

The main legislative acts of the Republic of Uzbekistan regulating electoral law are the Constitution of the Republic of Uzbekistan and the laws on Presidential elections of the Republic of Uzbekistan, elections to the Oliy Majlis, elections to the regional, district and town and city Soviets of People's Deputies, guarantees of citizens' voting rights and the Central Electoral Commission.

In accordance with these legislative acts, all citizens of Uzbekistan who have reached 18 years of age by the date of elections have, irrespective of their origin, social and financial status, race and nationality, sex, education, language, attitude to religion or type and nature of employment, the same voting rights. Legal protection of the voting rights of citizens irrespective of their sex is guaranteed by article 20 of the law on guarantees of citizens' voting rights.

All normative acts of the Republic of Uzbekistan have been introduced in compliance with the designated chapters of the Constitution and do not contain any provisions which are discriminatory against women. A direct or indirect infringement or restriction of the equal rights of citizens will be legally prosecuted on the basis of article 141 of the Criminal Code of the Republic of Uzbekistan.

3. State institutions and mechanisms to promote and monitor the advancement of women

1. Legislative safeguarding of the integrated advancement and development of women

Women in Uzbekistan have a high standard of education: the number of women specialists with a higher and specialized secondary education lies above 50%. Conditions have been established in Uzbekistan for the continuous vocational training and professional development of women. In 1998, there were 23 institutions, pooling the resources of 16 faculties and 4 centres and offering 14 training courses, operating within the state system of professional development and retraining for the labour force.

DISTRIBUTION OF WOMEN SPECIALISTS WITH A HIGHER EDUCATION CARRYING OUT SCIENTIFIC RESEARCH AND PROJECT DESIGN AND ENGINEERING WORK BY BRANCH OF SCIENCE AND SPECIALIZATION AS OF 1 JANUARY 1997 (based on data from the State Statistical Department)

Branches of science and specializations	Number of specialists	Doctors of science	Candidates of science
Total	9,564	234	2,583
by branch of science:			
Natural sciences	2,494	71	702
Mathematics, mechanics	301	12	86
Physics, astronomy	303	5	63
Chemistry, pharmaceutical chemistry	680	17	218
Biology, psychophysiology	628	20	259
Geological and mineralogical sciences	464	16	56
Geography (not including economic, social and political)	118	1	20
Technical sciences	2,232	17	264
Medical sciences	1,469	67	542
Agricultural sciences	733	11	129
Social sciences	1,187	26	481
Economics	460	11	183
Jurisprudence	113	2	49
Education	454	11	200
Psychology	66	1	22
Sociology	16	-	3
Political sciences	14	1	13

Other social sciences	64	-	11
Humanities	1,449	42	465
History	201	12	82
Philosophy	133	5	70
Philology	935	19	244
Fine art, theory and history of architecture	180	6	69

Equal rights for women to physical education and sporting activity are stipulated under article 2 of the Physical Culture and Sport Act. Women and girls are actively engaged in various types of sport. The sporting achievements of many of them have brought fame to the nation's sport and have been given government awards. For example, Iroda Tulyaganova has won first place in three major competitions at junior tennis open championships in Japan, Seoul and Hiroshima.

Women's all-round development is impossible without their economic independence. The number of women currently in employment is 3,689,000 or 42.5% of the total number of persons employed in production. Protection of the socio-economic rights of women is critically important under the conditions prevailing in the transitional economy.

Legal and social guarantees governing the implementation of equal rights to secure jobs in market economic conditions are set out in the Employment Act of the Republic of Uzbekistan.

2. State and non-state institutions and programmes for the protection of women's interests

A number of specialist national organizations have been established in the Republic of Uzbekistan with the task of defending the rights and freedoms of women. This system includes:

1. The Women's Committee of Uzbekistan, a public organization founded on 23 February 1991 at the 11th Plenary Meeting of the National Women's Council. It has legal status and is registered with the Ministry of Justice of the Republic of Uzbekistan. One of the first and largest national women's organizations in Uzbekistan, it is engaged in developing legislation concerning women in the social and occupational spheres, as well as in many other areas.

The Women's Committee of Uzbekistan works in four main areas:

(a) providing women with social and occupational support during the period of transition to market relations; ensuring their full and equal representation in power structures and decision making at all levels and broadening their

participation in the democratic reforms of society; enhancing the role of women in the economy, improving their situation in the labour and employment market and uniting and mobilizing women to take part in the economic reforms taking place in Uzbekistan.

(b) providing equal access to training and development of skills and qualifications; promoting the broader participation of women in implementing state development programmes and attracting their involvement in establishing, administering and implementing social reform projects; consolidating legal guarantees, strengthening mechanisms for the protection of women's rights and raising their functional and legal literacy.

(c) protecting motherhood and childhood, family planning, improving women's reproductive health, providing all-round assistance to governmental and non-governmental organizations in carrying out the state "Healthy Generations" programme and engaging in activity to protect the interests of the mother and child, addressing environmental protection issues and eliminating factors which have a negative impact on the health of women and children.

(d) developing links with international women's organizations and exchanging a wide range of information on political, cultural, scientific and economic issues and on the implementation of objectives of the Platform for Action adopted at the Fourth World Conference on Women.

Women's Committee sections are being established locally in various regions of Uzbekistan to bring judicial and legal assistance to the public. Women's Committee of Uzbekistan.

Within the framework of international cooperation the Committee is carrying out a great deal of work to strengthen links with women's organizations in other countries. Together with representatives of the Charity Corps (USA), the Women's Committee has set up a women's information centre and has opened five branches of it in the cities of Tashkent, Samarkand, Bukhara, Urgench and Namangan.

The information centre provides assistance to women in exchanging information in the areas of literacy improvement, reproductive health protection, education, the economy, employment, integration within the international women's movement and the development of an information network.

Since 1996, the Women's Committee has been the instigating force behind the establishment of a group of crisis centres such as the Samarkand "Sabr" Centre and others.

2. A Secretariat for the Social Protection of the Family, Motherhood and Childhood has been created in the Cabinet of Ministers of the Republic of Uzbekistan and equivalent secretariats also operate at the local level.

In order to strengthen state support for and improve the welfare of families, 1998 was declared by Presidential decree the "Year of Family Interests" and on 27 January a corresponding programme which included the following lines of activity was ratified by the Cabinet of Ministers of Uzbekistan:

- improving the legal framework of family relationships, providing legal protection of the interests of the family and protecting the rights of motherhood and childhood;

- creating conditions for safeguarding the social interests of the family, improving conditions for health protection and raising the level of education of family members;

- creating conditions for safeguarding the economic interests of the family, raising the incomes of families and level of employment of family members, improving domestic living and working conditions and supporting impoverished families;

- creating conditions for improving the spiritual and moral framework and cultural interests of the family;

- enhancing the role of the family in raising a healthy and erudite younger generation and refining the tasks of the family and society in raising a harmoniously developed younger generation;

- extending scientific and social research of family problems and perfecting a system of compiling statistical information that indicates the economic and social situation of women and children.

The Government of Uzbekistan has spent 144,339 million som, 1.5 million deutschmark and 160 million US dollars on implementing this programme.

In order to further improve the social and material situation of women and to enhance their role in the family and society, 1999 was designated the "Year of Women" by decree of the President of Uzbekistan. Decision No. 73 of the Cabinet of Ministers, dated 18 February 1999, ratified a state programme of action for 1999 to safeguard and protect the interests of women, targeted at:

- perfecting the legal framework for the protection of women's interests, enhancing their role in the construction of the state, society and culture and in the democratic and spiritual renewal of society;

- developing and safeguarding a system for monitoring the implementation of international, national and other legislative and legal rules adopted to protect the interests of women, motherhood and childhood;

- enhancing the role of women in administrative structures at all levels, creating conditions for the active involvement of women in citizens' self-government bodies, non-governmental organizations and public associations;

- establishing conditions safeguarding improvements in the health of mothers and children, promoting physical culture and raising the level of education;

- enhancing the status and role of women in the family and establishing a favourable spiritual and moral environment, favourable conditions for raising children and favourable material and domestic living conditions in the family;

- ensuring the active participation of women in bringing about economic reforms and in developing entrepreneurial activity;

- broadening and deepening scientific and social research of gender issues, including enhancing the role of women in raising the young generation and shaping the family, and in the socio-economic transformation and spiritual and moral development of society.

It is proposed that more than 72 million som from the state budget and other sources of finance be spent on implementing this programme.

A National Platform for Action to Improve the Situation of Women in Uzbekistan and to Enhance their Role in Society (1998-2000) was ratified on 3 March 1999. It was drawn up following consideration of all the component elements and requirements of the Beijing Platform for Action, with account being taken of special national features and conditions. It defines the general strategy and priority aims of state policy toward women in accordance with the Constitution of the Republic of Uzbekistan, the state's international obligations and the recommendations of the Fourth World Conference on Women: Action for Equality, Development and Peace, and it takes into account the socio-economic situation in Uzbekistan. The National Platform for Action anticipates combining the efforts of the Government, of parliamentarians, of state and public organizations and of the civilian sector in order to increase the involvement of women in the creation and development of democratic society. For Uzbekistan, the following lines of action apply:

- improving women's health, including reproductive health, and developing services for the family;

- educating women and raising their occupational and functional literacy;

- improving the economic situation of women;

- reducing the impact of ecological degradation;

- strengthening the involvement of women in political structures;

- establishing special programmes to support girls;

- shaping models of the new woman in Uzbekistan in the media, culture and art and overcoming existing stereotypes;

- carrying out gender research, including gender objectives in the social policy of the project programme;

- developing and strengthening the role of women's non-governmental organizations;

- upgrading the national mechanism to improve the situation with regard to women's status in Uzbekistan.

4. Prevention of violence against women

The legislation of the Republic of Uzbekistan provides for integrated measures aimed at preventing violence being committed against women. The Criminal Code of Uzbekistan stipulates various forms of punishment for violent acts committed against women.

Under article 136 of the Criminal Code, coercing a woman to enter into marriage or to continue living together in marriage or abducting a woman to enter into marriage against her will, as well as preventing a woman from entering into marriage, are punishable by a fine of up to twenty-five times the minimum wage or by corrective labour for up to three years, or by detention for up to six months or deprivation of liberty for up to three years.

In accordance with article 103 of the Criminal Code, causing a person who was not materially or otherwise dependent on the accused, through cruel treatment or systematic degradation of their personal honour and dignity, to commit suicide or to attempt suicide is punishable by corrective labour for up to three years or deprivation of liberty for up to five years. The same acts committed against persons who are materially or otherwise dependent on the accused are punishable by deprivation of liberty for from five to eight years.

For forcing women to perform an abortion, article 115 of the Criminal Code provides for punishment by a fine of up to fifty times the minimum wage or by corrective labour for up to two years or detention for up to six months.

Statistical data on criminal cases heard in court
(based on data from the Supreme Court of the Republic of Uzbekistan)

Articles of the Criminal Code	1994		1995		1996		1997		1998	
	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women
97-2	848	67	194	9	348	17	311	28	465	46
103	88	-	46	4	83	10	414	21	128	20
104-1	854	54	200	15	400	58	335	40	252	40
104-2	-	-	142	16	180	14	182	11	193	12
104-3	-	-	110	6	227	13	242	12	235	11
105	110	709	880	95	1,233	98	1,095	104	946	103
110	67	-	46	-	69	-	111	-	97	-
114	2	-	-	-	-	-	-	-	-	-

115	2	-	1	-	1	-	2	-	2	-
118-1	-	-	140	-	219	-	185	-	140	-
118-2	-	-	92	-	211	3	189	2	189	3
118-3	-	-	118	-	173	1	105	-	137	4
118-4	-	-	21	-	28	1	49	1	76	1
119-1	67	-	12	-	21	-	17	-	15	-
119-2	-	-	18	-	49	-	32	-	27	-
119-3	-	-	25	-	36	-	22	-	32	-
119-4	-	-	18	-	43	-	53	-	70	1
121	8	-	7	-	10	-	9	-	9	-
128	122	-	142	-	214	-	286	-	320	-
141	-	-	1	-	2	-	-	-	1	-
148	2	-	2	-	3	-	4	-	2	-
257	-	-	19	-	42	-	53	-	74	-

In accordance with article 118 of the Criminal Code, rape, that is sexual intercourse accompanied by the use of violence or the threat thereof, or the exploitation of the helpless status of the victim, is punishable by deprivation of liberty for from three to seven years.

Rape:

(a) of two or more persons;

(b) committed repeatedly, by a dangerous recidivist or by a person who has earlier committed a crime as defined under article 119 of the Criminal Code;

(c) committed by a group of persons;

(d) accompanied by the threat of murder, are punishable by deprivation of liberty for from seven to ten years.

Rape:

(a) of a person known to the accused not to have attained eighteen years of age;

(b) of a close relative;

(c) committed by a person taking part in mass disturbances;

(d) committed by a particularly dangerous recidivist;

(e) involving grave consequences, is punishable by deprivation of liberty for from ten to fifteen years.

Rape of a person known to the accused not to have attained fourteen years of age is punishable by deprivation of liberty for from fifteen to twenty years or by the death penalty.

Under article 122 of the Criminal Code, the coercion of a woman into sexual intercourse or into satisfying sexual demands in an unnatural way by a person upon whom the woman was dependent for work or materially or otherwise dependent is punishable by corrective labour for up to two years or by detention for up to six months. The same act accompanied by sexual intercourse or the satisfaction of sexual demands in an unnatural way is punishable by corrective labour for from two to three years or by deprivation of liberty for from three to five years.

The number of recorded cases of recourse to the courts by women on the grounds of rape
(based on data from the Procurator's Office of Uzbekistan)

1995	1996	1997	1998
791	808	687	675

Among the authorities in the Republic of Uzbekistan, the main responsibility for averting and preventing violence against women is vested in the Ministry of Internal Affairs.

The Ministry of Internal Affairs of Uzbekistan and its local subdivisions will over the period from 1995 to 1998 undertake a series of organizational and practical measures to prevent violence against women. In order to step up and improve action by the authorities governing internal affairs in Uzbekistan to prevent violent crime, the department's normative base has been revised. Under a special order issued in July 1994 by the Ministry of Internal Affairs of the Republic of Uzbekistan, the authorities governing internal affairs were set specific objectives with regard to averting crimes against the life and health of the individual and further improving work in this area. Taking into account the fact that the majority of violent crimes against women are committed as a result of family and domestic disputes, an integrated programme of measures for 1997/98 was drawn up and implemented with the aim of preventing crimes in the sphere of family and domestic relations. In 1998, a special action plan was drawn up by the Ministry of Internal Affairs within the framework of the state programme of measures to safeguard the interests of the family. In order to identify and eliminate the causes and circumstances contributing to the commission of violent crimes, an official investigation is made of each set of facts. Special recommendations have been drawn up concerning methods of conducting official investigations of the facts in relation to offences against the life and health of an individual on the part of persons held on the preventive registers of the authorities responsible for internal affairs, as well as on the part of minors. Submissions are made to all interested authorities about the identified causes of the violent crimes and the need to eliminate them. A monthly check is carried out to monitor their implementation.

Number of suicides committed by women
(based on data from the Procurator's Office of Uzbekistan)

1995	1996	1997	1998
1,327	1,460	1,573	1,560

The activities of law-enforcement agencies in preventing crimes against life and health, and grave types of such crimes, are regularly highlighted in the media. The heads of subdivisions of the internal affairs authorities regularly report back to the public on work carried out in this area. With the help of the mass media, inquiries are made to find criminals who have committed grave violent crimes, women are given specific recommendations as to what action to take in emergencies in order to prevent violent acts against them and legislative rules protecting their honour and dignity and their legal rights and interests are explained. The newspaper Na postu, in particular, which was founded by the Ministry of Internal Affairs, constantly runs regular features giving not only accounts of crimes that have been detected but also recommendations for preventing violence and resolving family disputes.

Work to prevent violence against women is carried out by police personnel in close cooperation with, inter alia, state institutions, women's non-governmental organizations, the charitable foundation "Makhallya", the youth foundation "Kamolot", agencies of self-government, higher and specialized secondary educational institutions, social security agencies.

In cooperation with local citizens' self-government agencies and women's non-governmental organizations (the Samarkand Crisis Centre "Sabr" and the Tashkent NGOs "Sabo" and "Mekhri"), several seminars were held in 1998/99 in the Samarkand region and in the city of Tashkent for women in high-risk groups. In order to prevent violence against women in the home, work is being done to identify alcoholics, rowdy individuals, family trouble-makers and impoverished and needy families, to carry out preventive case work with them and provide them with welfare. Thus, in 1998, there were 3,218 impoverished families placed on the records, while in 1995 their number had stood at 2,540.

Staff of local law-enforcement agencies, together with representatives of local self-government agencies and house management committees, hold meetings with the residents of town and city neighbourhoods to explain to citizens the procedures for legal recourse regarding cases of infringement of their legal rights and interests and information is given about organizations providing legal, psychological and material assistance.

5. Measures for stopping all types of trafficking in women, exploitation and prostitution

From the moment the international borders were opened up and arrival and departure procedures simplified, the Republic of Uzbekistan has been confronted with a sharp rise in the number of offences concerning public morality in the sex and porn business.

The production for the purposes of demonstrating and distributing, as well as the demonstration and distribution, of pornographic items to persons who have not reached the age of twenty one, committed after an administrative penalty has been imposed for the same actions, is punishable under criminal legislation in Uzbekistan by a fine of up to one hundred times the minimum wage or by corrective labour for up to three years or by detention for up to six months with or without confiscation of property.

Under article 131 of the Criminal Code, the establishment or operation of brothels, as well as procurement for profitable or other base motives, is punishable by a fine of from twenty five to fifty times the minimum wage or by corrective labour for up to three years or by deprivation of liberty for up to three years with confiscation of property.

The same acts committed:

(a) with the involvement of a minor;

(b) repeatedly, by a dangerous recidivist or by a person who has earlier committed crimes provided for under articles 135 or 137 of the present Code are punishable by arrest for up to six months or by deprivation of liberty for from three to five years with confiscation of property.

According to article 135 of the Criminal Code, the solicitation accompanied by subterfuge for the purposes of sexual or any other exploitation is punishable by a fine of from fifty to one hundred times the minimum wage or by corrective labour for up to three years or by detention for up to six months with or without confiscation of property.

The same act committed:

(a) repeatedly or by a dangerous recidivist;

(b) by a group of persons acting in concert;

(c) against a minor is punishable by deprivation of liberty for up to five years with or without confiscation of property.

The same act committed for the purpose of leaving the territory of the Republic of Uzbekistan with the persons concerned, is punishable by deprivation of liberty for from five to eight years with confiscation of property.

Statistical data on criminal cases examined in court
(based on data from the Supreme Court of the Republic of Uzbekistan)

Articles of the Criminal Code	1994		1995		1996		1997		1998	
	Total	Women	Total	Women	Total	Women	Total	Women	Total	Women
129	57	-	41	-	63	-	69	-	39	-
130	5	-	13	-	4	-	4	-	2	-
131	231	-	264	-	389	-	545	-	606	-
135-1	-	-	2	-	-	-	-	-	1	1
135-2	-	-	-	-	1	-	-	-	2	2
135-3	-	-	-	-	4	2	6	5	5	4
271	-	-	16	2	22	-	11	-	13	1
272	-	-	95	15	612	80	982	121	1,702	187
273	-	-	788	126	899	108	603	48	597	54
274	-	-	16	2	10	-	12	-	4	-
275	-	-	1	-	3	-	1	1	9	1

Alongside the adoption of legislative measures within the agencies responsible for internal affairs, special units have been established to combat prostitution and the distribution of pornographic products and film products promoting the cult of violence, and to identify and place on a register persons among the "high-risk group" in order to carry out preventive work. In 1998, a total of 7,176 persons were placed in the "high-risk group", while in 1995 this figure had been 2,563, and of these, 4,952 and 1,493, respectively, were women and 1,617 and 717, respectively, prostitutes.

Special instructions on the activity of units in preventing public morality-related offences are currently being ratified by the Ministry of Internal Affairs of the Republic. These units regularly undertake large-scale integrated actions under the code name "Oriyat" which are aimed at preventing public morality-related crimes.

6. Provision of equal conditions for women to implement their political rights

1. Legislative safeguarding of women's voting rights

The implementation of women's voting rights in the Republic of Uzbekistan is regulated by the following legislative acts: the Constitution of the Republic of Uzbekistan and the laws on guarantees of the citizens' voting rights, Presidential elections, elections to the Oliy Majlis, referenda and elections to regional, district and town and city Soviets of People's Deputies.

In accordance with article 117 of the Constitution, all citizens of the Republic have the right to vote and to be elected to representative bodies of authority. The voting right of citizens is under the protection of the state. Article 3 of the law on guarantees of citizens' voting rights guarantees equal voting rights to all citizens of Uzbekistan, regardless of origin, social and financial status, race and nationality, sex, education, language, attitude to religion and type and nature of employment.

Citizens who have reached the age of eighteen are entitled to vote.

The right of women to vote and to be elected on equal conditions with men, without discrimination of any kind, to all institutions established by law for which public elections are required is also set out under articles 1 and 2 of the law on Presidential elections, article 3 of the law on elections to the Oliy Majlis, article 3 of the law on elections to regional, district and town and city Soviets of People's Deputies and article 2 of the law on referenda in the Republic of Uzbekistan.

2. Participation of women in political life and state administration

Despite existing legislative guarantees, the suspension in the 1980s of the quota system for women resulted in a decline in their representation both at the higher and local levels of authority. Whereas in 1986 the total number of women in legislative authorities in Uzbekistan stood at, after the multi-party parliamentary elections held in 1994, 22 women were elected as deputies, making up 8.8% of parliamentarians.

Despite there being a significant pool of women specialists with higher education to draw upon, the proportion of women in leadership posts and positions of responsibility is extremely low. The proportion of women within the administrative and managerial apparatus occupying deputy ministerial and deputy company director posts is currently 17.5%. Of 715 appointed judges, only 118 are women. Political parties in Uzbekistan are also headed solely by men. According to data from surveys conducted by the Public Opinion Centre, 64% of urban and 50% of rural women consider that men have greater opportunities for implementing their rights in the political sphere.

Of the 5 registered political parties and movements in Uzbekistan, only the National Democratic Party has about 40% women in its ranks. The remaining parties have between 3% and 7%.

Following adoption of the Beijing Platform for Action by the Government of Uzbekistan, a number of steps were taken to raise the status of women in the area of decision-making.

A Presidential decree passed in March 1995 on measures to enhance the role of women in state and social construction in the Republic of Uzbekistan established a quota for increasing the number of women in executive bodies at all levels. Under this decree, women responsible for social affairs are appointed to Deputy Director of Administration posts in executive bodies.

Women occupy the posts of Deputy Chairperson of the Parliament, Chairperson of the Parliamentary Committee on Labour Protection and Social Welfare, Parliamentary Commissioner for Human Rights, and a range of others.

The state programme for 1999 also provides for the drafting and adoption of a system of quotas in order to increase the numbers of women in leadership posts in the system of executive and legislative authorities.

3. Participation of women in the activity of non-state organizations and associations

The principal legislative acts regulating the organization and activities of public associations are: the Constitution of the Republic of Uzbekistan (articles 56 to 62); the Public Associations Act of 15 February 1991 (with amendments of 3 July 1992 and 25 April 1997); the law on trade unions and the rights and guarantees of their activity, dated 2 July 1992; the Political Parties Act of 26 February 1996; the law on freedom of conscience and of religious organizations, dated 1 May 1998; the decisions of the Cabinet of Ministers of the Republic of Uzbekistan on regulation of the registration of charters of public associations, dated 12 March 1996, and on ratification of the rules governing the consideration of applications for the registration of charters of religious organizations, the procedure for levying charges and the size of registration charges, dated 18 December 1991, et alia.

Article 34 of the Constitution grants citizens the right to form trade unions, political parties and other public associations and to participate in mass movements.

Under article 56 of the Constitution, "Trade unions, political parties and scientific societies, as well as women's, veterans' and youth leagues, professional associations, mass movements and other organizations registered in accordance with the procedure prescribed by law, shall have the status of public associations in the Republic of Uzbekistan".

On 14 April 1999, a law was adopted on non-governmental non-profit-making organizations, specifying the status of such organizations and defining more precisely their designation and sphere of activity.

In accordance with existing legislation, the Ministry of Justice registered 268 public associations of national and international standing in the period from 1993 to date. They included the international public movement, "Assembly of the Cultures of the Peoples of Central Asia", 69 societies, 5 committees, 34 associations, 16 trade unions, 44 foundations, 37 federations and 36 other organizations.

Regional administrations of justice at the local level registered about 2,000 local and national sections of public associations. 70% of the total number of NGOs are headed by women.

The majority of women's non-governmental organizations were established in the period from 1997 to 1998. Despite the differences that there are in the programmes they implement, all NGOs set as their main goals achieving equal

rights and opportunities for men and women, raising the status of women in the family and in society and assisting them to adapt to new socio-economic conditions.

A characteristic feature of women's non-governmental organizations is the very active attempt to build partnership relations with the state. Many of them not only hold their own separate events in cooperation with local authorities and administrative bodies but also have joint long-term projects or are involved in implementing state programmes. Included among such women's NGOs are the Association of Businesswomen, the "Olima" Association, The Centre for Women Leaders, the "Khimoya" Legal Centre and the Women's Resource Centre. The "Olima" women's association was registered on 7 July 1994, currently has sections in all the regions of the country and 650 women members. The Association of Businesswomen of Uzbekistan was registered on 21 June 1991 and includes more than 3,000 women.

Article 34 of the Constitution grants the right to form trade unions, political parties and other public associations and to participate in mass movements, and the laws of the Republic of Uzbekistan on public associations, dated 15 February 1991, and on trade unions and the rights and guarantees of their activity, dated 2 July 1992, set out these rights in concrete terms.

7.3 million people are currently members of trade-union organizations in Uzbekistan. The trade union structure is made up of 66,000 primary trade-union organizations. The most powerful sectoral trade-union organizations are the trade unions of: aviation employees, workers in the car industry, agro-industrial sector workers; telecommunication workers, state and public association employees, workers in light industry and the furniture-making industry, energy sector workers, workers in small- and medium-sized private businesses; cultural employees, metallurgical and engineering workers; trade and consumer cooperative employees, health workers, education employees, railway and transport workers and construction workers.

In addition to the sectoral trade-union organizations, the Federation of Trade Unions of Uzbekistan includes 12 regional associations and 1 city association of trade-union organizations. Further to this, 123 sectoral trade-union organizations operate in village settlements and 738 in towns and cities. The supreme body is the congress which convenes once every 5 years.

There is a particular focus on strengthening the role of women within the trade union structure. In accordance with the decision of the Cabinet of Ministers of the Republic of Uzbekistan, dated 18 February 1999, on the state programme of measures for 1999 to strengthen the role of women in the family and in state and social construction and to improve the system of protection of their legal, social, economic and spiritual interests, provision has been made to "provide practical assistance in implementing measures of the Council of the Federation of Trade Unions to promote women in trade union structures, implement programmes and enhance the skills of women who are trade union officials and leaders" (item 3.3), and "to draw up and implement vocational training measures for women, including training abroad, in order to establish a pool of officials for promotion to leadership positions" (item 3.4).

Underscoring this is the fact that the proportion of women in leadership posts in trade unions is high. Thus, the Chairperson of the Council of the Federation of Trade Unions and the leaders of 5 regional and 5 sectoral trade unions at the national level are women. Women head 28.8% of sectoral trade unions in the regions (45 women), 20.5% of committees in towns, cities and districts (130 women), and 454 primary trade-union organizations are headed by women.

7. Safeguarding the right of women to represent the Republic at the international level and to participate in international conferences

The legislation of the Republic of Uzbekistan grants women equal rights with men in all spheres of public life, including in the area of international cooperation.

From 4 to 15 September 1995, a delegation from the Republic of Uzbekistan headed by D. Gulyamova, Deputy Prime Minister of the Republic, took part in the UN's 4th World Conference on Women: Action for Equality, Development and Peace, which was held in Beijing.

From 3 to 21 October 1995, a delegation from the Republic headed by S. Rashidova, Parliamentary Commissioner for Human Rights, took part in the OSCE conference on human survey issues in Warsaw.

From 11 to 12 April 1996, S. Rashidova was a member of a delegation which participated in the work of the 52nd session of the UN Commission on Human Rights which took place in Geneva.

From 24 to 26 April 1996, S. Rashidova took part in a UN seminar on "Administration for Stable Human Development" which was held in New York.

From 7 to 10 June 1996, S. Rashidova took part in the regional meeting of the UN Member States of Eastern Europe and the CIS.

From 24 to 27 June 1996, S. Rashidova took part in the round-table meeting on "The role of the Ombudsman institution in conflict prevention and confidence-building measures" organized by ODIHR/OSCE in Budapest.

From 12 to 14 September 1996, a delegation from the Republic including D. Kabulova, Deputy Chairperson of the Women's Committee of Uzbekistan and T. Saidikramova, Acting Director of the Association of Businesswomen participated in the work of the UN Conference on the subject of "Implementation of the Platform for Action adopted at the 4th World Conference in Beijing" held in Bucharest.

From 3 to 7 April 1997, S. Rashidova took part in a meeting of the UN Commission on Human Rights, held in Geneva.

From 4 to 6 April 1997, A. Musina, an official of the Ministry of Foreign Affairs of the Republic, took part in the work of the 11th Conference of Ministers for Foreign Affairs of Non-Aligned Countries held in Delhi.

In June 1997, G. Tuyunbayeva, an official of the Ministry of Foreign Affairs of Uzbekistan, attended courses held in Latina as part of NATO's individual programme on communication and information systems.

From 25 to 28 September 1997, a delegation from the Republic of Uzbekistan headed by D. Gulyamova took part in the work of the World Conference on Issues of Balanced Social Development and Effective Administration: Europe-Africa Dialogue on the Participation of Women in the Work of Authorities, which was held in Helsinki.

From 14 to 17 October 1997, D. Gulyamova, a member of the Commission on Observance of the Constitutional Rights and Freedoms of Citizens, took part in the work of the seminar on The Promotion of Women's Participation in Society, organized by ODIHR/OSCE in Warsaw.

From 15 to 17 October 1997, O. Muminova, an official of the Ministry of Foreign Affairs of the Republic, took part in an initiating and planning conference on medical studies entitled "Cooperative Adventure Exchange", which was held in Heidelberg as part of NATO's individual "partnership for peace" programme.

From 17 to 27 October 1997, U. Vakhidova, Chairperson of the Red Crescent Society of Uzbekistan, took part in a meeting of the General Assembly of the International Federation of Red Cross and Red Crescent Societies and of the council of delegates of the International Red Cross and Red Crescent Movements, held in Seville.

From 15 to 19 December 1997, A. Musina, an official of the Ministry of Foreign Affairs of the Republic, participated in a planning conference of NATO scientists entitled "Cooperative Chance", held in Ramstein.

On 5 May 1998, G. Tuyunbayeva, an official of the Ministry of Foreign Affairs of the Republic of Uzbekistan participated in a conference on the transportation of troops, held in Athens as part of NATO's "partnership for peace" programme.

From 25 to 28 May 1998, S. Rashidova took part in a seminar on "Ombudsman and National Institutions for the Protection of Human Rights" jointly organized by UNDP, the Council of Europe and the Polish Ombudsman.

From 25 to 29 May 1998, O. Muminova, an official of the Ministry of Foreign Affairs of the Republic, participated in NATO courses on Cooperation in the Field of Security in Europe which were held in Oberammergau as part of NATO's "partnership for peace" programme.

From 16 to 18 June 1998, S. Rashidova and D. Gulyamova took part in a regional conference on "The Role of Women in the Life of Society", organized jointly by the Government of Uzbekistan and ODIHR/OSCE and UNDP in Tashkent.

On 17 July 1998, a delegation from Uzbekistan of which A. Karimova and A. Musina were members, took part in an extended meeting of OSCE's Permanent Council.

From 7 to 11 September 1998, Ministry of Foreign Affairs officials L. Bakiyeva, L. Khachaturova and M. Kadyrova participated in the work of the International Conference on Teaching International Humanitarian Law, organized jointly by the representative office of the International Committee of the Red Cross, the Ruhr University and the Institute of International Law, Peace and Armed Conflict, and held in Tashkent.

From 26 to 29 October 1999, D. Kabulova, Deputy Chairperson of the Women's Committee of Uzbekistan and A. Akbarova, officer in charge of the UNDP/Women's Committee of Uzbekistan project on "Strengthening Gender Sector Potential and Development in Uzbekistan", took part in an intergovernmental meeting to review and evaluate measures to implement the Beijing Platform for Action, organized by the Secretariat of the UN's Economic and Social Commission for Asia and the Pacific (ESCAP) and held in Bangkok, Thailand.

8. Safeguarding women's equal rights with regard to acquiring, changing or retaining citizenship

The legal regulation of issues of citizenship is implemented by a series of normative acts including rules in international legal agreements a universal nature relating to this issue.

The main legislative act in this field is the Citizenship Act of the Republic of Uzbekistan, dated 2 June 1992. In accordance with the Act (article 1), citizenship of the Republic of Uzbekistan determines a person's permanent political and legal connection with the state which is reflected in their mutual rights and duties. No limits on these rights have been established by law subject to a person's reasons for acquiring citizenship, origin, social and financial status, race and nationality, sex, education, attitude to religion, political and other convictions or type and nature of employment.

A citizen of Uzbekistan may not be extradited for a crime committed on the territory of a foreign state unless otherwise provided for by international treaties and agreements.

Citizens of the Republic of Uzbekistan are:

(1) persons who at the time of entry into force of the Citizenship Act (1992) were permanently resident in the Republic of Uzbekistan;

(2) persons who have been sent to work on a state mission and are outside territory of the Republic of Uzbekistan, and are not citizens of other states;

(3) persons who have acquired citizenship in compliance with the present Act.

As a consequence of a number of reasons of a political and economic nature (complex demographic situation, political excesses in a number of neighbouring

states, et alia), Uzbekistan does not accept the concept of dual citizenship. Only in exceptional cases may compatriots/citizens of a foreign state, at their request and based on the resolution of a special commission of parliament and decision of the President of the Republic of Uzbekistan, obtain citizenship of the Republic of Uzbekistan, if they or their parents, grandfather or grandmother had been forced in due course to leave their homeland in connection with the regime which existed at that time (article 10).

On the issue of the acquisition of citizenship, Uzbekistan adheres to the principle of ius sanguinis (blood principle). Other grounds for granting citizenship include: granting citizenship on grounds provided for by international agreements of the Republic of Uzbekistan and on other grounds provided for by law.

Conditions for being given citizenship of the Republic of Uzbekistan are: renunciation of foreign citizenship; permanent residence on the territory of the Republic of Uzbekistan during the previous five years; the availability of lawful sources of subsistence; recognition and observance of the Constitution of the Republic of Uzbekistan.

The state authorities in charge of issues of citizenship of the Republic of Uzbekistan are: the President of the Republic of Uzbekistan, the Ministry of Internal Affairs and the Ministry of Foreign Affairs. The powers of the said bodies are specified in chapter 5 of the Act. Procedures for granting citizenship are managed directly by the Commission on Citizenship under the President of the Republic of Uzbekistan which, in considering applications and representations on citizenship matters, assesses thoroughly the applicant's reasons, the contents of the claim, the conclusions of government bodies and public associations and other documents and evidence drawn up in the appropriate manner.

Grounds for withdrawal of citizenship of the Republic of Uzbekistan are: secession from citizenship; forfeiture of citizenship; grounds provided for under international agreements entered into by the Republic of Uzbekistan; other grounds provided for under the Citizenship Act of the Republic of Uzbekistan.

In addition, the Act specifies the conditions for forfeiture of citizenship of the Republic of Uzbekistan:

1. as a consequence of entry into the armed services, security services, police, judicial authorities or other organs of state power and administration in a foreign state;

2. if a person who is permanently resident abroad has without valid excuse not registered with the consular authorities for a period of five years;

3. if citizenship of the Republic of Uzbekistan was acquired as a result of presenting evidence known to be false or documents known to be forged.

Citizenship is forfeited from the date of promulgation of the decree of the President of the Republic of Uzbekistan. Illegal actions by officials with

regard to citizenship issues may be appealed against in the prescribed manner to an official of next higher rank or to a court.

As well as the Act referred to, a number of normative acts also regulate issues of citizenship to a greater or lesser extent. They include the decree of the President of the Republic of Uzbekistan, dated 26 February 1999, on improvement of the passport system of the Republic of Uzbekistan, the decision of the Cabinet of Ministers of the Republic of Uzbekistan, dated 2 March 1999, on additional measures to improve the passport system in the Republic of Uzbekistan, the rules governing residence permits for foreign persons and stateless persons and the certification of a stateless person (annex to the decree of 23 September 1994) and decision No. 143 of the Cabinet of Ministers of the Republic of Uzbekistan, dated 14 March 1997, under which citizens of CIS states are entitled to enter and move around the territory of Uzbekistan without visas provided they have documents validating their identity or confirming their citizenship. In order to safeguard public order and security, the registration of citizens of foreign states staying without a visa has been introduced.

9. Safeguarding the equal rights of men and women in the field of education

In accordance with article 41 of the Constitution of Uzbekistan, everyone has the right to education and the state guarantees free general education.

The Education Act of the Republic of Uzbekistan guarantees equal rights to education irrespective of sex, language, age, race, nationality, convictions, attitude to religion, social origin, type of employment, social status, place of residence and duration of residence on the territory of Uzbekistan.

According to this Act, the basic principles of state policy in the field of education are:

- the humanitarian and democratic nature of instruction and education;
- the continuity and openness of education;
- the compulsory nature of general secondary and specialized secondary and vocational education;
- the voluntary nature of the choice of direction of specialized secondary and vocational education;
- the secular nature of the education system;
- the general accessibility of education within the limits of state educational standards;
- the combination of state and public administration in the education system.

Education in the Republic of Uzbekistan is implemented in the following forms:

- pre-school education;
- general secondary education;
- specialized secondary and vocational education;
- higher education;
- postgraduate education;
- employee skills training and retraining;
- adult education.

In compliance with legislation and normative acts, students in an educational institution are provided with allowances, grants and hostel places. State educational institutions are financed from national and local budgets, as well as from non-budgetary resources.

Instruction in comprehensive schools and other educational institutions is not segregated by gender: girls and boys learn together. In terms of numbers, girls make up almost half of the total number of pupils at daytime comprehensive schools. Thus, in the 1998/99 academic year, girls accounted for 2,773,900 out of the total population of 5,641,300 pupils. The intake of children into the first class numbered 677,500, of whom 335,000 were girls. There are currently 9,703 comprehensive schools operating in Uzbekistan of which 223 are primary schools, 1,855 are nine-year schools, 7,539 are higher-level schools and 86 are special schools and boarding schools for children with special physical and intellectual needs.

Special boarding schools are provided for deaf children and children with hearing impairments, blind and visually impaired children, children with intellectual disorders and severe speech impediments, children with infantile cerebral paralysis and poliomyelitis, as well as for children with retarded mental development. Teachers at these educational institutions provide instruction based on one of 14 types of curriculum.

As of 1 January 1999, there were 6,911 day-care centres where 615,800 children were being cared for and educated. 65,800 teachers/educators are currently employed in pre-school institutions, practically 96% of whom are women. In Uzbekistan's pre-school institutions there are more than 800 groups learning foreign languages, including, inter alia, English, French, German, Chinese and Arabic. There are 605 adult educational institutions in Uzbekistan where 12,900 teaching staff are employed, of whom 6,700 or 51.9% are women.

On 10 March 1997, the Government of Uzbekistan adopted an Ordinance on a Draft National Programme of Employee Training, and a commission and working groups were set up to prepare the document and basic conceptual rules set out for drawing up a new Education Act.

On 29 August 1997, the Parliament of the Republic of Uzbekistan adopted a new Education Act and ratified the National Programme of Employee Training.

On 6 October 1997, a Presidential decree was adopted on fundamental reform of the system of education and employee training and of education of the whole generation. A national commission, headed by the Prime Minister, U. Sultanovy, was set up to implement the National Programme of Employee Training, and the main objectives of the commission were set out.

The National Programme of Employee Training was drawn up based on an analysis of national experience and global achievements in the system of education. It is aimed at shaping a new generation of workers with a high level of general and vocational knowledge, with creative and social motivation, the skills to proceed independently in social and political life and the abilities to set and solve the tasks of the future. The complete transition to compulsory general secondary and specialized secondary and vocational education is being made in Uzbekistan within the framework of this programme.

In accordance with legislation, general secondary education, comprising instruction for a period of nine years (classes 1 to 9 at school), ensures that systematic knowledge of the basic principles of science is passed on and shapes people's basic academic, scientific and general cultural knowledge, spiritual and moral qualities based on national and universal human spiritual values, employment skills, creative thinking and an understanding approach to the environment and their choice of career.

Compulsory specialized secondary and vocational education for a period of three years following on from general secondary education is an independent link in the system of continuous education.

The direction of specialized secondary and vocational education, either academic grammar school or vocational college, is chosen voluntarily by pupils.

In order to raise the quality of education, the National Programme of Employee Training provides in the 1998/1999 period for the development of a network of schools and general educational institutions of a new type: high schools and schools for the extended study of individual subjects. Whereas in 1992 there were just 24 of these, there were 190 in 1997, and the total number of pupils had risen correspondingly from 11,000 to 92,400. There are currently 326 grammar schools and 195 high schools. Development of the material and technical base of rural schools is one of the objectives of the Rural Infrastructure Development Programme for 1996-2000.

Specially targeted state programmes being implemented include, inter alia, "Ma'naviyat va ma'rifat", "Economic Education", "The Rural School", and "The Rehabilitation of Children with Developmental Abnormalities".

A deliberate state policy is being pursued in Uzbekistan to support gifted children and young students. Based on the regional administrations, special centres and foundatiors are being set up to identify talented young boys and girls and promote the development of their abilities.

As part of the National Programme, work has begun on reorganizing vocational training in Uzbekistan to take into account the special geographical factors shaping the labour market, particularly in rural areas. There are currently 442 educational institutions operating in this system, including 229 vocational schools, 180 vocational grammar schools and 53 business schools, with an overall total of 220,000 students, 43% of whom are girls.

Since independence, the number of higher educational institutions in Uzbekistan has increased from 54 in 1992 to 58 in 1997. The number of students attending them has fallen from 316,200 to 165,700 over the same period. In the 1990s, the proportion of women students stood at about 39%. This figure reached a maximum of 40.2% in 1994. Over recent years, there has been a decline in the total number of women students, and in 1997 they comprised 39.4% of the total number of students in higher educational institutions. This results above all from the fact that the average age of students at higher educational institutions is between 18 and 23. In Uzbekistan, this is the age when women marry and have children. Due to the dependent position of girls in their parents' family and subsequently in the husband's family, the decision about their study is taken by the parents and close relatives, and even adult girls and young women consider it natural to follow the choice of their elders. A study conducted in 1998 as part of a family planning project confirmed that the choice of a woman's education is more often than not settled by the parents or the husband and is restricted primarily to careers in education and medicine. Many of the girls surveyed are of the opinion that after marrying they will have to cut short their education.

For these reasons, education's coverage of girls and women, which is high at the stage of compulsory secondary education, falls off during subsequent stages of education. Changing the stereotypes that have grown up in relation to education and helping women to adapt to changes in the economy and in the social sphere form one of the main aims of state education policy. In particular, the introduction of 12-year compulsory schooling has, among others, the goal of averting the trend toward early marriage and boosting women's motivation to continue their education.

Postgraduate education may be obtained at higher educational institutions and scientific research institutions through studying for postgraduate degrees, doctorates and submitting theses. There are about 4,000 postgraduate students studying in Uzbekistan (69% in the higher education system, 31% in scientific research institutes). In the period from 1995 to -1997, the proportion of women postgraduate students stood at about 31%. More than 37% of the women work at scientific research institutions, and of these, 11% are doctors of science and 26% are candidates of science.

The overall number of students at higher educational institutions is currently 158,000, of whom 36,700 are women, which is equivalent to 37% of the total. The Human Development Report for 1997 provides concrete data on the level of education of women: women constituted 39.4% of the total number of students at higher educational institutions in 1996, while in 1991 this figure had stood at 40.2% (thus marking a declining trend).

Against the background of market transformations and the growing demand for skilled employees and in view of the growing rationalization of production and the emergence of new industries, there is a need for an improvement in the vocational training and retraining of women as a means for women to adapt to the labour market. Implementation of the National Programme of Employee Training developed for 1997-2005 will facilitate this process to a significant extent.

10. Measures to safeguard the economic rights of women

1. Protection of the right to work

Under article 6 of the Employment Act of the Republic of Uzbekistan, the state guarantees all its citizens:

- the freedom to choose their type of employment, including jobs with differing working conditions;
- protection from unlawful denial of employment and termination of an employment contract;
- free assistance with the selection of a suitable job and with job placement;
- the provision of equality of opportunity for all in securing occupations and jobs, in working and employment conditions, in remuneration and in promotion at work;
- free training for a new occupation (specialization) and skills enhancement at local labour agencies or under their instructions at other educational institutions, including the payment of grants;
- compensation, in compliance with legislation, of material costs incurred in the event of employment in a different locality;
- the opportunity to enter into fixed-term employment contracts for involvement in paid public works.

State employment policy is based on the following principles:

- provision of equal opportunities in the implementation of the right to work and to free choice of employment for all citizens irrespective of sex, age, race, nationality, language, social origin, financial and employment status, attitude to religion, convictions and membership of public associations as well as of other circumstances unrelated to employees' business abilities and the results of their labour;
- support and encouragement of people's work-related and entrepreneurial initiative and assistance with the development of their abilities to perform productive and creative work which will provide appropriate working and living conditions;

- voluntary nature of work;

- provision of social guarantees in the employment sphere and protection of the population against unemployment;

- encouragement for employers preserving existing jobs and creating new jobs for citizens, especially for those in need of welfare and experiencing difficulties in finding work;

- coordination of measures in the employment field to match the other aims of economic and social policy;

- joint action by government agencies, trade unions, representative bodies of employees and employers in drawing up, implementing and monitoring the execution of measures to provide employment;

- inter-State cooperation in solving employment problems.

There are about 12 million women living in Uzbekistan. Of these, 60 per cent live in rural areas, while almost 50% of the able-bodied female population are employed in the national economy.

The majority of working women are employed in sectors such as: industry (48%), agriculture (40%), health and social security (70%), education, culture and science (from 60% to 47%), state administrative bodies (47%), trade, public catering, housing and utilities and consumer services (from 50% to 52%).

As a result of the formation of a market sector in the economy, changes have occurred in women's economic activity across the sectors of the economy. In 1997, the proportion of women employed in the private sector was estimated to be between 65% and 72%.

Under article 7 of the Employment Act, the state provides additional guarantees for persons in need of welfare, experiencing difficulties in finding work and not able to compete on equal terms in the labour market, including single parents and parents of large families with children under fourteen years of age and disabled children; for young people who have graduated from educational institutions; for persons discharged from the Armed Services and troops of the Ministry of Internal Affairs and National Security Service of the Republic of Uzbekistan; for disabled persons and persons of pre-pensionable age; for persons released from institutions, serving a sentence or who have undergone compulsory treatment of a medical nature on the basis of a court decision.

Additional guarantees are provided by creating additional jobs and specialist enterprises including enterprises for disabled workers, organizing special training programmes, setting a minimum quota of jobs in enterprises, institutions and organizations for placing the categories of citizens referred to, as well as by other measures stipulated by law.

Every citizen of Uzbekistan may choose his/her occupation and place and terms of work at his/her own discretion. All employment disputes, conflicts,

punishments and dismissals may be examined or appealed against through court proceedings.

Under article 148 of the Criminal Code of the Republic of Uzbekistan, the knowingly unlawful dismissal of a person from a job or failure to execute a court judgement to restore a person's job, committed after an administrative penalty has been imposed for the same actions, is punishable by a fine of up to twenty five times the minimum wage or by deprivation of a specified right for up to three years or by corrective labour for up to three years; the knowingly unlawful denial of employment or dismissal from employment of a woman on the grounds of her pregnancy or caring for a child is punishable by a fine of up to twenty five times the minimum wage or by deprivation of a specified right for up to three years or by corrective labour for up to three years.

The right to working conditions that comply with hygiene and safety norms, to compensation for damage caused to health in connection with employment, to a level of wages that is not lower than the official minimum level and to a shorter working day and additional allowances in dangerous industries is guaranteed under the Labour Code of the Republic of Uzbekistan.

Forced labour is prohibited by the Basic Law, with the exception of those cases when coercive labour is connected with the discharge of a punishment imposed by a court judgement, or in other cases provided for by law.

The state guarantees citizens freedom of economic activity, entrepreneurship and labour and recognizes the priority of consumer rights, equal rights and legal protection of all forms of ownership. However, proprietors may not, in making use of their assets, cause damage to the environment or infringe the rights and interests of citizens, legal persons or the state.

The Government, aware that during the stage of transition to a market economy support of family incomes is largely dependent on attracting women into social production, is focusing particularly on creating conditions for effectively combining the active involvement of women in employment with concerns connected with raising children.

Provision has been made for employment guarantees and privileges for working women which consist in limiting the involvement of female labour in unfavourable conditions, in establishing a flexible (and, where necessary, shortened) system of working hours and in lowering the age-limit for receiving an employment pension. The privileges include:

- privileges in respect of the employment of pregnant women and women who have children;
- prohibition on the deployment of female labour in jobs with unfavourable working conditions;
- restriction on the deployment of female labour in night-time jobs and overtime work;

- there is provision for the option of establishing part-time working hours for women with family responsibilities;

- there is provision for offering additional leave for women raising children;

- paid maternity leave is provided for women, as well as parental leave to care for a child up to the age of three years. At the same time, a childcare allowance is paid during the period of childcare up to the child's second birthday.

It is not permissible to dismiss pregnant women and women who have children, except in cases provided for by a special section of labour legislation.

The Constitution of the Republic of Uzbekistan provides for state protection of the rights of minors, irrespective of sex, through the passing of laws and the monitoring of measures implemented in the fields of employment law and employment protection, in the social sphere and in education.

Pursuant to the Labour Code of the Republic of Uzbekistan which entered into force in April 1996, the age from which it is permissible to employ an adolescent has been fixed at sixteen years. To train young people for employment, it is permissible to employ, during their free time from study, pupils of comprehensive schools, vocational training schools and secondary educational institutions to carry out light work which is not injurious to health from the age of fourteen. In such cases, the written consent of one of the parents or of a person acting as a parent is required.

Taking account of special physical, psychological and social factors, the maximum duration of working hours for workers aged from 16 to 18 years has been set at 36 hours per week, and for persons aged from 15 to 16 years (pupils aged from 14 to 16 years working during school holidays) at 24 hours per week, with payment for work being made at the same rate as for workers of the relevant categories working full daily hours.

All persons below 18 years of age are taken on only after passing a preliminary medical examination and, furthermore, they must undergo a compulsory medical examination each year until they reach the age of 18.

Under articles 239 to 244 of the Labour Code of the Republic of Uzbekistan, workers under 18 years of age are granted annual leave of a minimum of thirty calendar days and this may be taken by them during the summer or at any other time of the year that is convenient for them. If the working year in respect of which leave is granted covers periods before and after the worker attained eighteen years of age, the length of leave is calculated at the rate of thirty calendar days per year for the period of work completed prior to the eighteenth birthday and in accordance with the general practice for the period of work completed following the eighteenth birthday.

In order to protect the health of young people, the state prohibits the use of their labour in jobs specified in lists of jobs with unfavourable working

conditions for which the use of the labour of persons under eighteen years of age is prohibited.

With the adoption of this document in the sectors of industry, transport and construction, the number of adolescents working in unfavourable working conditions halved over the second half of 1996 alone, and in communications enterprises all adolescents were released from jobs with unfavourable working conditions and from hazardous jobs.

2. Right to social security

During the latest stage of economic reforms, in addition to creating conditions for bringing about productive employment activity that will safeguard citizens' incomes, a policy is being pursued of adjusting the disparities in citizens' income levels by establishing a flexible system of taxation which provides for the progressive taxation of incomes, of adjusting wages in monopoly industries by tying their growth to growth in the volume of production, and of putting into practice compensatory measures with regard to citizens and families who are unable as a result of objective circumstances independently to maintain their incomes at the required level. The Government is endeavouring to bring the extent of income differences to a level of generally accepted norms and to maintain it there.

The growth in real cash incomes is lagging behind the growth in nominal incomes. Over the period from 1995 to 1998, per capita cash incomes grew by 580% in nominal terms and real incomes rose by 490%. At the same time, the gap between the growth rates of nominal and real incomes diminished somewhat, by 180%.

Simultaneously, the stratification of the population by income continues to intensify and differences in the conditions and quality of life of people from different social groups are increasing.

Over the period from 1995 to 1998, the income differentiation factor increased by about 40% and stood at 13.4 as against 9.3 in 1995, but the Gini coefficient of concentration of incomes rose by about 30% and stood in 1998 at 0.405. As a result, about 50% of the total disposable income of the population was concentrated among the best provided for 20% of the population.

	1995	1996	1997	1998
Coefficient of differentiation of cash incomes	9.3	8.4	13.2	13.4
Gini coefficient of concentration of incomes	0.310	0.350	0.421	0.405

Nominal cash incomes	533.1	1,156.3	2,205.7	3,128.7
Growth relative to previous year	376.0	216.9	190.7	142.0
Real cash incomes	319.6	728.1	1,269.1	2,662.6
Percentage change in real average per capita income	181.0	146.6	97.6	126.0
Ratio of rates of growth of nominal and real incomes	2.07	1.47	1.95	1.13

The periodic review made by the Government of minimum levels of wages, pensions, grants and allowances contributes toward maintaining real cash income levels. Over the period from 1995 to 1998, the level of the minimum wage increased on average by 530% and that of minimum pensions by 380%.

In 1998, the rates of growth of average per capita income practically coincided with the rates of growth of the average wage, which is the result of a slight rise in wage payments as a proportion of families' aggregate incomes (compared with previous years when there had been a steady trend whereby rates of growth of average per capita income outstripped rates of growth of the average wage).

Special features of the demographic situation peculiar to Uzbekistan have a significant impact on the standard of living of the population. The high level of fertility produces the high proportion of children in the population, as a result of which the population of working age carries a higher economic burden. The proportion of mothers who have four children is 34.1%, six children 17.0% and 7 or more children 25.4%.

There is a certain inverse relationship between the number of children in a family and the value of per capita consumption: the level of per capita consumption is lower in families with many children, particularly in those where the woman does not work.

The eradication of unemployment and poverty and the enhancement of social integration and development are among the main aims of Uzbekistan's social policy which lies under the control of the President and Government of the Republic of Uzbekistan. Various social systems have been affected in the implementation of this policy, including, inter alia:

- the system of social insurance;
- the system of support for the unemployed;
- the system of assistance for impoverished families and families with children;
- the system of allowances and privileges for individual categories of citizens.

Under the State Pension Provision Act, there is provision for granting preferential pensions irrespective of age, preferential pensions with a 5- to 10-year relaxation of the generally specified retirement age and pensions due to industrial injuries or occupational diseases.

Preferential pensions are currently enjoyed by over 120,000 people, including 8,249 people with pensions regardless of age on completion of service; 122,529 people with pensions below the generally specified age and 180,000 people with pensions due to industrial injury or occupational diseases.

A range of legislative acts have been passed to increase allowances for workers, including women, employed in unfavourable working conditions. Decision N 117 of the Cabinet of Ministers of the Republic of Uzbekistan, dated 17 March 1999, on the preferential taxation of incomes of women employed in jobs with especially hazardous and strenuous conditions. In order to raise the level of income and increase protection for the economic interests of women employed in strenuous forms of work, the Cabinet of Ministers has decided:

1. to establish as of 1 April 1999 supplementary income taxation allowances for women employed in jobs with especially hazardous and strenuous working conditions in factories and institutions and in jobs, occupations, posts and criteria ratified by decision N 250 of the Cabinet of Ministers, dated 12 May 1994, having determined that the amount withdrawn from their income must not exceed 20 per cent. Amendments and additions are regularly incorporated in the schedules of hazardous and dangerous occupations and jobs for which allowances/preferential pensions are extended.

From 1 July 1998, the size of the allowance for persons disabled from childhood to the age of 16 and for persons in disability groups 1 and 2 from childhood stood at 100% of the minimum age-related pension, i.e. 2,100 som per month, while the allowance for single persons who have not been granted entitlement to a pension stands at 1,275 som per month.

All in all, these measures are aimed at safeguarding the welfare of those in need and of the most vulnerable sections of the population. In addition, each of the measures meets its own independent objectives and has a separate legislative base and organizational and methodological framework.

System of social insurance

As in many developed countries, the Republic of Uzbekistan has its own state system of social insurance which is designed to protect the population

against potential social risks including, inter alia, temporary incapacity to work (sickness), old age, disability and loss of the breadwinner.

The current system of social insurance includes a range of payments granted to people when the above-mentioned risks arise:

- an allowance for temporary incapacity to work is granted through the workplace and paid for days of sickness at rates of 60%, 80% or 100% of the average monthly wage, according to the length of service in the job;
- a maternity allowance is granted through the workplace at the rate of aggregate average earnings for 126 calendar days;
- a one-off maternity grant is granted through the workplace or place of study of the parents, or, if they are not working or studying, through the social security agencies, at the rate of twice the minimum wage;
- a one-off burial grant is paid out at the rate of three times the minimum wage;
- pensions are granted and paid out by social security agencies.

The system of social insurance provides significant benefits for women, and the greater part of expenditure is targeted at them. In addition, recent years have seen a trend of relative decline in the proportion of maternity allowances and of maternity grants in total expenditure on benefits payments through the system of social insurance.

Proportion of total expenditure on individual types of allowances

	Proportion of total expenditure (not including pensions)		
Types of allowances	1996	1997	1998 (1st half-year)
Maternity allowances	42.5%	33.2%	33%
One-off maternity grant	8.3%	6.8%	5.5%

The main precondition for participating in the system of social insurance is the payment of compulsory contributions, and as a consequence, social insurance extends to the working population of the Republic. The non-working section of the population, including children, young students and homemakers are not covered by the social insurance system. Social protection for these categories of the population is provided by other systems and by separate legislation.

Pension provision

The pension system is an important part of the social safety net for the population of Uzbekistan. It covers the majority of the population who need support, with the exception of unemployed persons, impoverished families and citizens who have become incapacitated and have not worked. The pension system is financed from the pension fund formed from compulsory contributions made by working citizens. The pension fund of the Republic of Uzbekistan is financially independent and does not have pension payment liabilities. The Government of the Republic has had to expend a great deal of effort to ensure the pension fund was financially stable since at the time of the declaration of independence (*M*), the pension fund's budget deficit stood at about 15%. The shortfall in pension fund expenditure was covered from the state budget, which had a genuinely negative effect on the financing of other social programmes. Since early 1997, this problem has been fully resolved in Uzbekistan. On 14 April 1999, a decision of the Cabinet of Ministers on additional allowances for women was adopted, in which, in particular, women are permitted to retire at the age of 54 upon completion of their length of service.

The Act specifies 3 types of pension:

(1) age-related pensions;

(2) disability pensions;

(3) pensions upon loss of the breadwinner.

The Act specifies 2 main requirements for the provision of a pension:

(1) that a precondition giving entitlement to the prevision of a pension apply (attainment of pensionable age, occurrence of disability, loss of breadwinner);

(2) that the required length of employment service apply in compliance with the preconditions specified.

In the event that one of the specified requirements does not apply, the entitlement to pension provision is lost. The size of the pension depends on the length of employment service and the average monthly wage of the pensioner.

A uniform procedure for determining the size of pensions comprising the following components has been established for all citizens irrespective of sex:

- basic pension;
- pension enhancement for employment beyond the required length of service;
- pension supplement for certain merit factors;

[Legend for chart: top to bottom]

Pension supplements

Pension enhancement for employment beyond required length of service up to 20% of average monthly wage

Basic level of pension

55% of average monthly wage

Length of service

Pension legislation provides for a range of substantial preferences in the award of a pension, including the setting of an age-related pension for women on preferential terms. Allowances have been established for women who have children. A women who has given birth to five or more children, or to one child disabled since childhood and has raised him/her to the age of 8, is granted an age-related pension five years earlier than the generally specified retirement age, i.e. not at 55, but at 50 years of age with a length-of-service requirement of just 15 years. It should be noted that, despite the variation in working and living conditions, pensions are awarded on a uniform basis.

For women, including working women, periods of caring for a child up to the age of three count toward the total length of service for the award of a pension, but may be no more than 6 years in aggregate.

For women who have a child under 16 years of age who has been disabled since childhood, the entire period of care for the disabled child is counted.

There are also occupations where preferential pensions are stipulated for women only. For example, women working as tractor drivers, operators of construction, road-building and loading/unloading machinery mounted on a tractor or digger base, textile production workers employed on looms and machinery, milkmaids and workers employed in the cultivation and harvesting of raw cotton, tobacco and rice retire 5 years earlier.

Advantages in the calculation of pension entitlement

	Men	Women
Generally specified retirement age	60	54
Length of service required for award of a pension	25	20

Pension legislation also provides women with certain privileges which further ease the terms of their retirement and affect the size of pension. These include:

- the right of mothers with many children and mothers of children disabled since childhood to retire at the age of 50, i.e. 5 years earlier than the generally stipulated age;

- the inclusion in length of service of separate periods when the woman was unable to work and did not contribute in practice to the pension fund.

Periods included in women's length of service:

(1) time spent by a mother caring for young children up to three years of age (up to a maximum of 6 years in total);

(2) time spent by wives of military service personnel with their husbands in areas where there is no job placement opportunity for them (up to a maximum of 10 years);

(3) time spent abroad by wives of diplomatic service staff and of employees of international organizations (up to a maximum of 10 years);

(4) period of residence of wives of shepherds (herdsman) on distant pastures where there is no job placement opportunity for them.

More simplified retirement terms for women are having an effect on the total number of pensioners and on the pension structure:

[Legend for chart: top to bottom]

Breakdown of total number of pensioners by sex Chart 8

Men 38%
Women 62%

Proportion of women in pension structure by age

[Legend for graph: top to bottom]

Persons ('000s)

Graph of change in total number of pensioners

Graph of change in total number of pensions awarded to women with many children

Graphs of change in total number of pensioners

Note: data for early 1999

At the present time, women constitute about 54% of the total number of pensioners, which is 2.5% greater than the proportion of women in the population as a whole.

This difference appears even larger when the structure of pensioners is analysed from the point of view of type of pension. This shows that the proportion of women in the different types of pension category differs. Thus, in the old-age pension category, the proportion of women is 64%, and in the disability pension category 48%. Analysis of pensions awarded on preferential

terms, i.e. earlier than the generally stipulated age, shows that the proportion of women in these pension categories comprises almost 85%. Of 575,500 such pensions, 486,700 were awarded to women, of which 428,400 were awarded to mothers with large families and mothers of children disabled since childhood.

Social benefits

An important branch of state assistance and support for needy sections of the population is the system of social benefit payments. This system was set up in July 1994 at the same time as the entry into force of the State Pension Provision Act, and is also included in the newly adopted decision of the Cabinet of Ministers of the Republic of Uzbekistan on a programme of action for 2000-2005 to improve targeted social protection for single elderly persons, pensioners and disabled persons, dated 7 December 1999.

The system of social benefits distinguishes between 2 categories of people needing support from the state:

(1) disabled children under 16 years of age and persons with group I and II disabilities since childhood;

(2) single elderly persons aged over 65 (men) and over 60 (women).

Currently, state support through the system of social benefits is given to 145,800 women, which is equivalent to 60% of the total number of recipients of social benefits.

More than 69% of single elderly citizens receiving social benefits are women and 59.5% of persons disabled since childhood receiving benefits are women. According to data from the Ministry of Social Security, the total number of single women of 60 years of age and above is decreasing while the total number of women disabled since childhood is rising.

Other types of welfare for pensioners, disabled people and single elderly citizens

In addition to the state system of social insurance, there is a system of welfare in Uzbekistan for impoverished families, families with children, pensioners, disabled persons and single elderly citizens.

In contrast from the social insurance system which covers the working section of the population, this system covers the entire section of the population in Uzbekistan which is incapable of working, as well as impoverished families requiring support.

The main objectives of the system are to provide targeted material assistance to families who find themselves in difficult situations, to provide welfare for single elderly citizens, to organize the social and work-related rehabilitation of disabled persons and to ensure that those in need are provided with prosthetic and orthopaedic products and with means of mobility.

Home-visiting services

Home-visiting services for single citizens in need of constant care are provided both through state channels and through the channel of the International Federation of Red Cross and Red Crescent Societies.

Such services are provided through state channels by local social security agencies.

The decree of the President of the Republic of Uzbekistan of 27 May 1991 and the decision of the Cabinet of Ministers of the Republic of Uzbekistan of 28 May 1991 on additional measures concerning welfare for single pensioners and disabled persons in the Republic of Uzbekistan form the legal basis of state home-visiting services.

Under these normative acts, single pensioners and disabled persons in need of constant care are provided with additional allowances to pay for medicines and communal services, and social services to the home are arranged in the form of medical service provision and home help.

In accordance with fixed rules, single pensioners and disabled persons most in need are provided with 9 types of basic food items and hygiene products free of charge, including:

- meat - 1 kg
- flour - 3 kg
- vegetable oil - 0.5 kg
- pasta products - 0.25 kg
- rice - 0.8 kg
- tea - 0.1 kg
- eggs - 10 pcs
- sugar - 0.8 kg
- detergents - 0.2 kg

These products provide 2,800 calories per day, which meets about 80% of their daily calorific requirements.

There are about 21,900 single pensioners and disabled persons currently living in Uzbekistan. Of these, almost 14,500 enjoy the allowances indicated and are also provided with the 9 types of basic food items and hygiene products free of charge. About 19,500 persons obtain home-visiting services from the state.

More than 2,600 social workers are employed in providing home visiting services through state social security agencies. These workers provide assistance both in managing the housekeeping of those in need and in delivering medical and hygiene services to the actual persons in care.

In-patient care services for single elderly and disabled persons are provided by 34 different homes for the elderly, holiday homes and boarding homes for the disabled. Currently, more than 6,800 persons are resident in these homes, 47% of whom are women. About 2,500 workers are employed in providing social and medical services to residents of these homes.

Rehabilitation of disabled persons

The legislative basis of welfare for disabled persons is the Welfare for Disabled Persons Act of the Republic of Uzbekistan, adopted on 18 November 1991. A State Programme of Medical and Social Rehabilitation of Disabled Persons for the Period 1996-2000 was drawn up for Uzbekistan and adopted by the Government of Uzbekistan in November 1995.

Among the countries of the CIS, this programme is the only one in which the medical and social rehabilitation of disabled persons are placed under the control of the state.

More than 40 different state and public organizations have been involved in implementing the programme. To coordinate their activities a special national commission has been created which reviews the progress of programme implementation on a quarterly basis. The state programme has enabled significant changes to occur in the attitude of society to disabled persons and of disabled persons to society in a short period of time. In public places everywhere, special facilities are being established to give disabled persons freedom of mobility. Over the last two years, 185 special lifts, conveyors and other facilities to provide freedom of mobility for disabled persons have been set up in airports, bus and railway stations, buildings of public and state institutions and other public places. Work has begun on drawing up special residential building designs which include provision for establishing the conditions needed to meet disabled persons' mobility requirements.

There are 3 specialist vocational training schools in Uzbekistan which aim to provide vocational training for disabled persons and to develop their job skills. Each year, more than 1,100 disabled children receive vocational training in a variety of specializations at these educational institutions.

A network of specialist rehabilitation centres has been established in Uzbekistan, including a national rehabilitation centre and 8 regional and specialist centres. In 1998 alone, more than 4,540 disabled persons underwent medical and social rehabilitation at these centres and about 600 of them fully or partially recovered their capacity to work.

In order to prevent the disablement of, and restore the health of, pensioners and disabled persons, state social security agencies arranged more than 15,400 places in Uzbekistan's sanatoriums and rest homes in 1998.

Disabled sport plays a special role in the rehabilitation of disabled persons. There is a large network of sports clubs for disabled people in Uzbekistan. A national spartakiada for disabled sportsmen and -women is held each year. We are proud to note the sporting achievements of the "Matonat" (which translates as "Courage") club, who have been world champions in football for disabled persons on more than one occasion.

Provision of prosthetic and orthopaedic products and mobility equipment for those in need

The provision of prosthetic and orthopaedic products and mobility equipment for those who require them is vital for the work-related and psychological rehabilitation of disabled persons and for their return to an active social life.

There are 20 different enterprises, including 6 joint ventures, providing prosthetic and orthopaedic products in Uzbekistan, specializing in the production of artificial limbs, special orthopaedic footwear, wheelchairs and hearing aids. In 1998, the state social security network provided 13,400 different prosthetic appliances, 820 wheelchairs and 878 hearing aids for persons in need.

Assistance to impoverished families and families with children

The Government gives special attention to this type of assistance. 3 types of such assistance operate in Uzbekistan:

- targeted assistance for families in need, provided through local self-government agencies;

- target assistance for families with children under 16 years of age, provided through local self-government agencies;

- monthly allowance for mothers caring for a child under the age of 2. These allowances are paid at the place of work or study of the mother. From 1 March 1999, payment of these allowances to non-working mothers was transferred to local self-government agencies.

3. Employment and unemployment of women

The difficulties of the transitional period have had a significant effect on the standard of living of the population. Under current conditions prevailing in Uzbekistan where the average size of a family is 5.5 persons, it is difficult to maintain a family on the wage of one working member of the family, which is giving rise to the rising number of women seeking to supplement the family budget by taking part in social production. The women's wage has a tangible effect on the family budget, enabling it to increase its prosperity. Data from a one-off study of women's working conditions and home life, carried out in 1997 by the State Statistical Department, underlines these conclusions.

55% of the women surveyed gave as their main reason for working the family's need of their wage, 14% wanted to be materially independent and a further 11% were working to complete the length of service required for a pension. At the same time, 67% of those surveyed were not satisfied with their wage and 52% replied that work did not secure their material independence.

In defining their priorities in life, women put material prosperity in second place behind the family. Thus, more than 50% consider buying food items

one of the most difficult problems at present, since they are short of money for obtaining them.

For this reason, of the 20% of women with supplementary paid work, 63% work in order to obtain an additional wage (in towns and cities, this figure is more than 70%).

At the same time, the need for women to carry out duties connected with managing a household and raising children determine to a large extent the nature of their employment.

Almost 60% of the women surveyed would like to work part-time or flexible hours. On the assumption that they did not need to earn the money to maintain the family, only 22% of respondents would continue to work full-time. More than 30% would in that case like to work part time, while 21% would leave work altogether and 14% would prefer to work at home.

Women's labour is playing an important role in the process of economic transformation. They constantly make up a significant portion of the Republic's pool of labour: more than 40 per cent of women are employed in the various branches of the economy, This is explained firstly by the need to supplement the family budget and secondly by the fact that many social services can be obtained only at the workplace.

Employment of women

	1994	1995	1996	1997
Average annual total number of women employed in the economy, in '000s	2,045	1,954.5	1,949	1,769.0
Women as a proportion of total employed in the economy, in %	43.3%	42.7%	43.7%	44%

Despite the reduction in the absolute number of women employed, their share in the population in employment remains high. The highest level of women's participation has been recorded in sectors in the non-production sphere, that is in health (74%), insurance (60%), education (58%) and culture (53%). Men's labour dominates to a greater extent in transport (87%), construction (88%), forestry (76%) and in housing and utilities (63%). In other sectors such as industry, agriculture, trade and public catering and science and communications, the proportion of women lies between 40% and 52%.

Within each of these branches where man and women are approximately equally represented, there are a number of areas of production which are notable for

having a higher concentration of women in the workforce. These include the textile and garment industry and the production of food products (confectionery, dairy products, etc.).

In addition to this differentiation by branch of industry, there are occupational differences in the pattern of female employment. For example, in the metal-fabricating industries and in instrument engineering, male workers are predominantly employed in highly skilled manual work on machines and apparatus (machine-tool operators, adjusters, machinists, repairmen, etc.). At the same time, women workers are generally either skilled operators on a computer keyboard or unskilled personnel involved in cleaning, labelling, packaging, and so forth.

Similarly, in agriculture men are employed for skilled mechanical labour while women are used for low-skilled and unskilled types of labour, and these are generally low-prestige, strenuous jobs in unfavourable working conditions such as manually harvesting raw cotton, milking cows and so on.

Finally, unskilled personnel in the non-production sector are comprised virtually entirely of women.

The sectoral employment pattern that has emerged and the qualitative aspects of the use of female labour are reflected in the level of pay for women's work, which lags behind pay for men's work. In 1997, women's wages were 20% lower than men's. The actual gender-based difference in the wages of workers and officials was 19% in industry, 15% in agriculture, and between 5% and 7% in health, education and credit institutions.

According to data from one-off studies, more than 85% of women surveyed had an average monthly income below the average wage in the economy (94% of such women in rural areas).

In 1998, women made up 10 per cent of workers receiving more than 8,000 som - in transport and construction. At the same time, in specific branches of industry with high rates of pay (above 10,000 som) such as finance, credit and insurance, women constituted 40% of employees (or 2% of all women employed).

Differences in pay by sphere of activity are continuing to grow. The lowest wages in the economy are in the non-production sphere where 60% of all working women are employed. In health, for example, where 73.5% of working women were concentrated, wages in 1998 were at 3,307.6 som or 61.8% of the average for Uzbekistan as a whole. In education (63.3% of working women) the wage level stood at 3,659.1 som or 68.4% of the average for Uzbekistan.

Differentiation in pay by sphere of activity

	1995	1996	1997	1998
Industry	139.0	137.7	144.6	155.5
Agriculture	75.5	57.2	53.4	48.4
Health	64.6	66.8	65.4	63.9
Education	64.5	74.5	68.9	69.7
Finance, credit and insurance	182.8	191.2	229.4	226.8

There is also a marked lag in pay for work in agriculture where, as in the past, there remains a high concentration of female labour resources: 36.1% of working women. Over the 1995-1998 period, wages here declined by almost 40% and were equivalent to 48.4% of the average wage in Uzbekistan. Meanwhile, the difference between pay in agriculture compared with that in other branches of material production was as follows: industry, transport and construction - 2.9-3.1 times higher; finance and credit - 4.7 times higher.

The lag in women's pay is due above all to lower skills levels and consequently lower labour productivity, as well as to their dual employment which has a negative effect on the quality of women's work. In families with a large number of children, women shoulder an increased burden of childcare and housekeeping and have fewer opportunities to take part in social production, to develop their professional qualifications and skills and simply to rest.

According to data from one-off studies, 67% of women would like to change their job because of dissatisfaction with the wages, 19.4% with the strenuous working conditions (26% of these are employed in agricultural production), 24% have a negative assessment of working conditions at their workplace. About 36% of those surveyed are employed in a job which does not match their qualifications, 74% have not undertaken training to improve their skills and 50% of those who had improved their skills did no change in their employment status.

The principle of equal pay for equal work places female workers in an unequal position with men since performing one and the same task to identical standards demands unequal expenditure of labour by men and women. Women are physically weaker and apply greater efforts than men to carry out the work.

The lag is also caused by differences in pay which have evolved historically in industries deploying predominantly male or female labour. Thus, in the non-production sphere, for example, where mainly women work, the level of pay is less than half that in material production.

It must be recognized that women are generally employed in those branches of industry and production facilities where working conditions are worse, while

wages are relatively lower, thus creating de facto inequality between men and women in the field of employment. Equal rights under the law do not eliminate economic inequality and if, despite equal rights, people are in reality treated differently then this constitutes a breach of equality and fairness.

The problem of unemployment, especially among women, has particular topical significance for Uzbekistan, as in other CIS countries. Over the period from 1994 to 1998, the number of unemployed women who applied to employment exchanges increased by 50%.

Women are quite acutely sensitive to the threat of unemployment. According to data from studies made by the Ministry of Macroeconomic Statistics in 1997, 54.5% of working women feared losing their job and only 22% felt no anxiety in this regard.

Women predominate among those who most frequently fall into the category of workers who are released i.e. made redundant at the initiative of a management as a result of staffing cuts, organizational closures and structural changes in the economy and a significant portion of them are educated and skilled.

The legislation of Uzbekistan provides for a broad system of measures to protect women in the labour market. The Constitution prohibits sexual discrimination. Protective measures relating to working women include the protection of motherhood and of women's reproductive functions. This includes guaranteed maternity leave, guarantees of employment and pay, sickness benefits, the establishment of special working conditions for pregnant and nursing mothers, prohibitions and restrictions on employing women for certain types of strenuous and hazardous work, prohibitions on forcing women who have children to work special hours (night-time and overtime work, business trips, etc.) and additional leave.

However, such protective measures have a negative effect on women's job-placement and career opportunities. Attempts by employers to take on predominantly men have arisen for objective reasons since a woman costs an employer more than a man. On average, women work between 20 and 25 hours a month less than men, i.e. their labour productivity is lower, they work with career interruptions, which has a negative effect on their job experience and skills. For that reason, where there is a choice, employers prefer to take on men.

As a consequence, the number of women among unemployed people placed in jobs is lower than the number of men. Thus, the proportion of women among the total number of those placed in jobs is 40.9%. While the number of women who are registered unemployed is growing in absolute terms, the percentage of women placed in jobs is falling. This means that the demand for female labour in the contemporary labour market is somewhat lower than the demand for labour involving significant physical work.

Number of unemployed women

	1994	1995	1996	1997	1998
Registered as seeking employment, total	202,916	246,191	275,358	298,829	313,824
Of whom, women	98,101	115,020	132,308	139,344	143,318
Women as a proportion of total number registered	48.3	46.7	48.0	46.6	45.7
Women placed in jobs	57,654	64,466	76,879	82,652	85,104
Women placed in jobs as a proportion of total number placed in jobs	44.3	42	43.0	41.9	40.9
Granted benefit				32,241	36,872
Registered for early pension				613	540
Involved in public works	2,518	4,809	4,103	6,675	6,800

Assistance for unemployed women seeking jobs is provided free of charge through employment agencies and includes a whole range of special measures. Guarantees of material support include: payment of unemployment benefits and grants during periods of vocational training and retraining, provision of material assistance for unemployed women who have children, pay for those employed in public works and preferential treatment for women with regard to job placement through the establishment of job quotas for women in enterprises. Employment exchanges also provide assistance with job placement, vocational training and reskilling. In 1998, 143,318 women were registered as looking for work at Uzbekistan's employment exchanges. Of the total number seeking work, 85,104 women were placed in jobs (which is equivalent to 40.9% of the total number for whom job placements were found), 36,872 received unemployment benefit, 540 were registered for an early pension and 6,800 were employed on public works.

The demographic factor has a direct influence on women's employment in Uzbekistan. As a consequence of the relatively high birth rate, the non-working population includes a significant portion of women of working age not working for certain periods of their lives (as a rule this is the age group from 20 to 30 years old). The need for women's temporary withdrawal from the sphere of employment in connection with childbirth leads to the work experience and level of education and skills of mothers stagnating at a previously attained level, while the level continues to rise for men.

Number of unemployed women by age

	1994	1995	1996	1997	1998
Aged from 16 to 18 years	20,703	17,911	18,967	20,164	16,649
Proportion of total	21.1	15.6	14.3	14.5	11.6
Aged from 18 to 30 years	44,604	56,960	65,287	67,419	71,108
Proportion of total	45.5	49.5	49.3	48.4	49.6
Aged from 30 to 50 years	26,654	35,920	44,150	48,696	51,939
Proportion of total	27.2	31.2	33.4	37.3	36.2

A significant portion of unemployed women (70%) fall into non-mobile categories who are the main targets when enterprises release staff and who experience difficulties in finding employment. These are primarily women with young children. Enterprises have quotas of jobs for these categories of women. Thus, over the period from 1995 to 1998, 73,400 women with young children were placed in jobs on the strength of established quotas, including 38,700 who were placed by employment exchanges. During the period under consideration, average annual rates of growth stood at 120 per cent, with the exception of 1998 when a fall of some 15 per cent occurred.

Job quotas for women

	1995	1996	1997	1998
Established quota, total	133,733	119,225	93,357	129,789
Job placements under quota, total	85,338	83,457	74,329	83,744
Of whom, women, total	15,735	17,886	21,840	18,495
- found independently	10,280	8,207	6,135	10,626
- placed by employment exchanges	5,455	9,676	15,705	7,869

The occupational pattern of female unemployment is characterized by the fact that the majority are women with a low level of vocational skills (that is, workers (43.2%) and women with no occupation (34.3%)) while a small proportion (22.5%) are specialists, administrative personnel, engineers and technicians and office workers.

Number of unemployed women by category

	1994	1995	1996	1997	1998
Office workers and specialists	19,648	24,263	31,333	33,676	32,251
Proportion of overall total	20.0	21.1	23.7	24.2	22.5
Workers	31,886	46,416	53,006	59,166	61,947
Proportion of overall total	32.5	40.4	40.1	42.5	43.2
Women with no occupation	43,421	44,341	47,969	46,502	49,120
Proportion of overall total	44.3	38.6	36.3	33.4	34.3

A particular feature of female unemployment is the absence of an occupation and of an adequate level of skills. The majority of unemployed women (60%) have a general secondary education. Many of them have lacked the opportunity to obtain professional skills and the range of specializations which they can take on is narrow.

Number of unemployed women by education level

	1994	1995	1996	1997	1998
With a higher education	5,092	6,073	6,928	8,729	8,900
With a specialized secondary education	16,712	21,966	26,925	26,118	28,276
With a general secondary education	64,598	73,823	84,903	86,504	86,838
With an incomplete secondary education	11,696	13,158	13,552	17,993	19,304

For people with a low level of skills or no qualifications, employment exchanges organize training or reskilling. They have established contacts with enterprises, and implement training for unemployed people according to the demand that exists. For this reason, virtually all those who have undergone training through employment exchanges are placed in jobs that match the specialization they have acquired.

Over the period from 1994 to 1998, 40,500 women underwent vocational training, which is equivalent to 52.1% of the total number who completed vocational training. Of these, 37,400 (92.3%) were placed in jobs based on the specialist skills obtained. Over this period, the total number of unemployed women who were given a trade or underwent reskilling more than doubled, from 4,780 in 1994 to 11,492 in 1998. The range of occupations offered by vocational training centres and in demand on the labour market has expanded significantly. These included courses in bookkeeping, computer literacy, sewing/tailoring, hairdressing, etc.

Since 1993 and under a Ministry of Labour initiative, training has been arranged for unemployed people in traditional folk handicrafts using the "Usta-Shogird" method which has subsequently been widely adopted throughout Uzbekistan. On the whole, the training is carried out among young graduates of comprehensive schools in more than 30 trades and is financed through funds from the Employment Promotion Fund. About 20,000 women have been trained using this method in Uzbekistan as a whole. The number of women trained in folk handicrafts rose from 838 in 1994 to 5,926 in 1998. In 1999, it is additionally planned to train a further 1,800 girls.

Records of unemployed persons who have undergone vocational training in the period from 1994 to 1998

	1994	1995	1996	1997	1998
Number of women who have undergone training	4,780	6,605	10,481	7,145	11,492
Women as proportion of overall total, %	45.9	48.7	59.6	41.2	61.3
Placed in jobs	3,442	6,162	10,187	6,744	10,917
Women as proportion of overall total placed in jobs	72.0	93.3	97.2	94.4	95.0
Of whom, trained in folk handicrafts	838	1,790	3,151	2,523	5,926

4. Creation of additional jobs for women

The formation of the non-state sector of the economy has led to the rise of new areas of activity offering unlimited opportunities for independent work that matches the skills and interests of each individual. This is a boost to women's employment by attracting women into private entrepreneurial activity and into small- and medium-sized businesses. Through funding from the Employment Fund, organizational and financial assistance is provided to those entrepreneurial structures which create new jobs that are principally intended for unemployed

persons and persons in need of welfare (disabled persons, single mothers with children and mothers with large families).

Over the period from 1994 to 1995, the Employment Fund was used to create 43,931 jobs, including about 7,000 for women, equivalent to 15% of the overall total. In total, more than 3,000 million som were allocated for these purposes. Recently, the number of jobs being created has shown a marked decline, and this has been brought about by the significant expenditure incurred as a result of the rising cost of such jobs and the low rate of recovery of credits issued to borrowers.

Creation of jobs for women

	1994	1995	1996	1997	1998
Jobs created, total	19,165	6,426	8,344	5,344	4,652
of which, for women	2,800	963	1,300	800	790
Funds allocated, total (in thousand som)	80,732	295,213.7	588,932.7	832,286.3	960,642.9
from which, calculated allocation per job	4.2	46.7	70.6	155.7	206.5

In addition, the Ministry of Labour participates as an investor in joint projects with various non-governmental organizations such as the Women's Association, the Business Fund and others, targeted at increasing the employment of women by providing loans for enterprises being set up and developed on the initiative of women, by investing in production facilities with predominantly female labour and female business management, etc.

In 1996, the "Umon" company located in the Kibrai district of the Tashkent region and specializing in the production of children's breakfasts for schools where the headteacher is a woman, was allocated 1 million som and this enterprise has now been in operation since 1997. In 1998, in the Zangiatin district of the Tashkent region a network of small enterprises providing various services for the public (hairdresser, repair workshops for household appliances, greenhouses, etc.) was set up jointly with Women's Association. 5 million som were allocated from the Employment Fund for this purpose.

In the "Bizintrud" project, the Ministry of Labour acted as co-founder in the establishment of 12 garment factories in the Turakurgan and Chinaz districts of the Namangan region and in the Chirakchi district of the Kashkadarya region. Three of these are located in densely populated districts with an abundance of female labour, are equipped with modern high-productivity "Pfaff-Singer" equipment and have a combined total of about 1,000 jobs. About 1 billion som was spent on their construction and equipment.

Construction had virtually been completed in the first quarter of 1999 of a silk reeling mill in the settlement of Vuadil' in the Fergana region, creating 350 jobs and involving the expenditure of 200 million som from the Employment Fund. In the first half of 1999, a joint project with the "Makhallii Sanoat" association planned to create 160 jobs for women at the "Bakhmal'" factory in the Buvaida district.

5. Development of entrepreneurship among women

In Uzbekistan, efforts are being made to establish conditions to ensure the successful development of entrepreneurship and management of small- and medium-sized businesses by women. This activity has been targeted simultaneously at several areas:

- creation of the necessary legal environment;

- privatization of state-owned entities and formation of a multi-layered economy;

- creation of a productive market structure.

Structures have been set up and are being organized at the state and public association levels to promote the development of entrepreneurship amongst women. These include the National Chamber of Entrepreneurs and Commodity Producers, the Business Fund, the Employment Promotion Fund, the Association of Businesswomen and others.

Currently, more than 20% of the 64,000 entrepreneurs are women. Among small- and medium-sized businesses, nearly 8,000 business units are headed by women.

In the city of Tashkent there are over 3,200 women entrepreneurs, with a further 1,500 in the Tashkent region, 1,200 in the Fergana region, 500 in the Namangan region and 400 in the Andijan region.

Under the programme of measures for 1999, there is provision for creating an additional 100,000 jobs for women from all the various sources of finance and for establishing a 50 per cent discount on individual business licences charges for women entrepreneurs during their first year of business and a 30 per cent quota for the leasing of non-residential premises to women, where khokims conclude such lease agreements.

A number of programmes are being implemented in close cooperation with international organizations with positive experience of providing practical aid in the business field (TACIS programme of the European Union, "Eurasia" Fund etc.). Programmes targeted at women are generally geared toward training women in skills for the marketplace and explaining their rights and opportunities. However, special projects geared toward providing direct assistance with setting up a personal business have not yet been developed, due to problems in domestic economic development.

11. Safeguarding equal rights in the area of health

1. Safeguarding the right to health

In accordance with the Protection of the Health of Citizens Act (N 265-I) of the Republic of Uzbekistan, dated 29 August 1996, the basic principles underlying the protection of citizens' health are:

- the observance of human rights in the area of health protection;
- the availability of medical assistance to all sections of the population;
- the priority of prophylactic measures;
- the social protection of citizens in the event of loss of health;
- the unity of medical science and practice.

The prime objectives of legislation on the protection of citizens' health are:

- to safeguard guarantees made by the state concerning citizens' rights to health protection;
- to establish a healthy lifestyle for citizens;
- to regulate by law the activity of state bodies, enterprises, institutions, organizations and public associations in the area of protecting citizens' health.

Article 13 of the Act stipulates that "citizens of the Republic of Uzbekistan have an inalienable right to health protection. The state provides health protection to citizens regardless of age, sex, race, nationality, language, attitude to religion, social origin, convictions and individual and social status. The state guarantees citizens protection against discrimination, irrespective of whether they have any forms of illness. Persons guilty of violating this provision shall be liable in the manner prescribed by law".

The state of health of the population is not only an important indicator of social development and a reflection of socio-economic well-being and sound hygiene but also of enormous potential economic, defensive and cultural importance for the state and a factor in, and component part of, prosperity.

Women constitute over half of the population, 50.6% according to Ministry of Health data, with 1 in 2 women being of childbearing age (24.2%). Since 1991, the Ministry of Health has been implementing a regional programme of urgent measures to improve the health of women of childbearing age, aimed at ensuring safe maternity and improving the health status of the gene pool. This programme essentially defines work on preventing unwanted pregnancies in women with extragenital diseases, improving their health, extending the interpregnancy interval to between 3 and 4 years and preventing abortions.

Traditionally, the state of health of the population is characterized by a system of indicators specifying:

- special features of population reproduction (medical and demographic characteristics);

- the stock of physical strength or capacity to act (indicators of the physical development of the population);

- special features of the population's adaptation to environmental conditions (morbidity of the population). By 1996, the average life expectancy of the population in Uzbekistan had reached 70.2 years (compared with 69 years in 1990), and this included figures of 71.5 years for people in towns and cities and 69.1 years for people in rural areas. The amount by which women's life expectancy exceeds men's was between 4.8 and 4.9 years (between 4.9 and 5 years among the urban population and 4.7 years among the rural population).

Morbidity indicators are an important criterion for assessing the state of health of the population. As a result of the problems of the transitional period, there was a sharp decline in the budgetary resources allocated to state health services (in real terms). The lagging of available budgetary finance behind the rise in the costs of buying drugs, maintaining health-care institutions, acquiring equipment, instruments and stocks of vaccines, bacterial preparations and culture media, reagents, diagnostic and disinfectant agents and organizing patient meals has resulted in a marked fall in the capacity of medical institutions to prevent illnesses and treat patients.

Private health care has for objective reasons been unable during this period to compensate for the cuts in the capacity of state health-care services.

The result of this has been a rise in the overall morbidity of the population. Whereas morbidity among adults had by 1998 risen by approximately 17% compared with 1992, morbidity among adolescents had risen by 48.8%.

An increase has been recorded in cardiovascular diseases, including hypertonic and ischaemic illnesses and vascular lesions in the brain.

There has been a noticeable trend for diseases of the circulatory system to affect younger people. Thus, a rise from 205.1 cases per 100,000 in 1992 to 245.9 cases in 1998 (an increase of 16.6%) has been recorded among children and there has been a corresponding rise among adolescents from 778.5 cases to 1,066.9 cases (an increase of 27%), while the rise in the same diseases among adults is somewhat lower (as a percentage increase) and stood in 1998 at 2,049.5 as against 1,863.1 in 1992 (an increase of 9.1%).

In Uzbekistan as a whole, a rising trend has been recorded in the number of people with damage to the endocrine system, and especially with diseases of the thyroid gland and with diabetes mellitus.

Since 1990, the incidence among the population of first-time diagnoses of tumours has declined.

As a result of improved detection of early forms of such diseases and the provision of skilled help at an early stage, the number of patients under observation for 5 years or more from the date of establishment of a diagnosis has increased. As a group they constitute nearly 30.4% of the total number of patients.

In a breakdown of tumours by morbidity rate, stomach cancer accounts for 9.7%, oesophageal cancer for 8.4%, breast cancer for 8.8%, lung cancer for 7%, skin cancer for 8.5%, cervical cancer for 5.8% and cancer of the large intestine for 4.7% of cases among all cancer patients.

The highest incidences of tumours in the population have been recorded in the city of Tashkent and in the Tashkent, Fergana and Navoi regions.

In order to prevent the spread and outbreaks of infectious diseases from occurring, to improve the standard of environmental hygiene conditions in Uzbekistan and to reduce the level of infectious diseases, a National Plan of Action on Environmental Health has been drawn up with the involvement of, inter alia, the Ministry of Health, the Ministry of Agriculture and Water Management, the Ministry of Communal Services, the State Committee on Nature, the State Committee on Environmental Protection, public associations and various foundations.

The epidemiological situation regarding the incidence among the population of venereal diseases and chlamydial infections has deteriorated. The highest incidences of venereal diseases are found in Tashkent city, and in the regions of Tashkent, Syrdarya, Navoi, Fergana and Bukhara. A rise has been observed in syphilis infections among young people and the number of cases among rural inhabitants has increased.

A worrying situation has developed with regard to the incidence among the population of various mental disorders, which are also the result of difficult economic, social and other circumstances. Each year, about 390,000 new cases of patients with various mental illnesses come to light.

2. Reproductive health care

To demonstrate its concern about improving public health, the Government of the Republic of Uzbekistan is giving its most serious consideration to the task of raising physically, morally and spiritually healthy generations of people.

To coordinate efforts in this direction, the Cabinet of Ministers of the Republic of Uzbekistan adopted decision No. 589, dated 3 December 1993, on an integrated solution to the problems of improving the health of the younger generation, on the basis of which a series of Ministry of Health directives have been drawn up regulating the activity of health-care bodies in the area of reproductive health care. Eight ministries and more than ten departments, as well as foundations, public associations and local authorities, are involved in implementing this programme. The programme receives technical and financial support from UNFPA, WHO, UNICEF and UNDP, as well as from donor countries including the USA, Germany, Italy, Japan, Israel, Turkey and others.

One of the principal goals of this activity is to improve the system of family planning. A study of the analysis and results of sociological surveys of the population together with an integrated approach to the problem of family planning formed the theoretical basis of the work. Analysis of responses about the ideal number of children in a family showed that, while certain differences in the views on reproduction of the different socio-demographic groups in the population of Uzbekistan persist, a significant decline in the preference for having large families can be observed both among women and among men, without whose active involvement it is impossible to practise birth control within the family. As a result of this activity there has been some improvement in the indicators of women's reproductive health.

Accepting as an absolute truth that the right to life is an inalienable human right and also that any life must not be placed at risk or endangered because of pregnancy or childbirth and taking the health index for women in the Republic of Uzbekistan into account, the Government of Uzbekistan promulgated in 1993 decision No. 589 on an integrated solution to the problems of improving the health of the younger generation. On 1 April 1998, the Cabinet of Ministers of the Republic of Uzbekistan adopted decision No. 140 on the creation of a state system for the detection of congenital and other diseases among neonates and pregnant women in order to prevent, through the screening of mother and child, the birth of persons disabled from childhood. In implementing a programme of measures to safeguard people's interests and in order to create a state system for the early detection of diseases among neonates and pregnant women, the Cabinet of Ministers resolved:

1. To ratify, in compliance with the annexes, the state "Mother and Child Screening" programme for the early detection of congenital and other diseases in neonates and pregnant women in order to prevent the birth of persons disabled from childhood.

2. To vest in the Ministry of Health of the Republic of Uzbekistan and in the "Soglom Avlod Uchun" Foundation the responsibility for coordinating and monitoring implementation of the "Mother and Child Screening" programme.

3. To take note that the screening centres will be set up at the expense of all the existing treatment-and-prophylactic institutions. The centres will be financed through budgetary funds allocated to health, and through funds from sponsors; over the period from 1998 to 2001, screening centres organized as part of the "Mother and Child Screening Programme" will, under agreements reached by the "Soglom Avlod Uchun" Foundation with the "Vallak" Group (Finland) and the "Bristol Mayers Squibb" company (US), be supplied with diagnostic apparatus, office equipment and communications equipment to a total value of 1.2 million US dollars, as technical humanitarian aid.

Diseases among pregnant women continue to remain at a high level, especially in rural areas. For this reason, health-care bodies focus their activities on carrying out work on a wide scale to protect women's reproductive health and observance of their reproductive rights. A large amount of help in this respect is provided to health-care bodies by non-governmental organizations such as "Soglom Avlod Uchun", Women's Committees at all levels, the "Ekosan" and "Makhalla" foundations, and others.

The establishment in Uzbekistan of a wide network of family planning units, the upgrading of staff skills, widespread dissemination of information through the mass media and the work in makhallas involving women's committees and religious figures have allowed positive attitudes to be established in Uzbekistan toward family planning and improving the health of women of childbearing age. This in turn has given rise to favourable conditions for expanding programmes to involve men in reproductive health and family planning issues. Solving the country's current ethnic population and development problems is not possible without the involvement of men. Taking into account national traditions, cultural and social factors and moral and religious aspects, the Ministry of Health is conducting an analysis of the activities of existing services provided for men in terms of reproductive and sexual health and plans to draw up a unified programme in the area of health improvement, information and communication, as well as to train highly skilled staff capable of delivering these services.

One of the peculiar features of the demographic situation in Uzbekistan is the high birth rate which has evolved historically and which in 1991 stood at 34.5 per 1,000. Taking into account the complexity and severity of economic and social problems and the unfavourable ecological conditions in a number of Uzbekistan's regions, this particular feature has the capacity to give rise to such negative phenomena as a decline in the standard of the consumer goods basket, a rise in unemployment or in cases of underemployment and an intensification of economic pressure on the able-bodied section of the population. The main factors behind the high birth rate in Uzbekistan are:

- the large proportion of the rural population, where the birth rate is higher;

- the high level of marriages and low level of divorces;

- the large proportion of the population of indigenous nationalities which are distinguished by a high birth rate and low geographical mobility of the local population;

- early marriages and a large proportion of women who are not involved in social production because of having large families, etc.

Nonetheless, a steady downward trend in the birth rate has been recorded in the period since 1995. Whereas it had stood at 29.8 per 1,000 in 1995, by 1998 it was already down to 23.3 per 1,000.

The duration of the birth interval is an important childbirth indicator. A progressive decline in the number of births with intervals of under 1 year and under 2 years has been recorded since 1995, as well as an increase in the number of births with an interval of above 2 years. The length of intervals between successive births is affected by parity and the status of child survival from previous births. The average childbearing age among women in Uzbekistan has not undergone any significant changes and stands at 21.5 years. The majority of women first give birth in their early twenties, with 2.7% of women having their first birth before reaching the age of 20. The number of pregnancies among minors aged between 15 and 16 years was 356 in 1996, which is equivalent to

0.06% of the total number of pregnancies, 146 in 1997 (0.03%) and 124 in 1998 (0.02%).

There are 76 obstetric gynaecology units in Uzbekistan and 100 clinical obstetric gynaecology places have been set up.

Lowering maternal morbidity and mortality is one of the highest priorities of present-day medical science and practice. This area is the focus of efforts not only by obstetric gynaecologists but also by a mixture of other specialists, including, inter alia, therapists, surgeons, haematologists and cardiologists. It is known that the main causes of maternal mortality in Uzbekistan are the high birth rate, short interval between successive births and high incidence of extragenital diseases.

A comparative analysis of the level of maternal mortality for 1997 and for the period from 1991 to 1996 has revealed the following. The level of maternal mortality throughout Uzbekistan had fallen by 1998 to 28.6 (per 100,000 live births) compared with a corresponding figure of 65.3 in 1991. The reduction in maternal mortality in Uzbekistan is to a significant extent related to a slight fall in the birth rate, which was mentioned earlier, and to the active introduction of family planning.

As far as infant mortality is concerned, a fall has been recorded in the infant mortality indicator from 46.2% per 1,000 in 1986 to 21.7% per 1,000 in 1998, which is linked with the fall in the birth rate, the improvement in the health of women of childbearing age, the increase in the interval between successive births and the fact that pregnancy and childbirth are allowed to occur at the optimum age for women.

The role of abortions as a method of birth control performed in outpatient clinics and maternity units is gradually declining in Uzbekistan. Therapeutic abortions are legal if they are carried out during the first 12 weeks of pregnancy. Therapeutic abortion may in some instances also be carried out at later dates if there are defined medical and social indications for terminating a pregnancy. Despite the fall in the figures for the incidence of abortions over recent years, they remain a serious problem for the health service because of the increased incidence of complications having a pathological effect on the state of a woman's health. The practice of performing abortions is accompanied by negative effects on a woman's health, reducing her chances of further giving birth and contributing to a rise in maternal and perinatal mortality. Taking the above into account, the Ministry of Health envisages a reduction in the incidence of induced abortions and links it with the production and widespread use of modern, safe and effective methods of contraception among the population.

As a result of special measures developed by the Ministry of Health for issuing information in the mass media and informing women individually about the negative consequences of abortions and about modern forms of family planning, the current volume index of the number of abortions is showing a clear and steadily declining trend. Thus, whereas in 1995 the level stood at 154.7 per 1,000 live births, by 1998 it was down to 134.5 per 1,000. In the Republic as a whole, 56% of women use methods of contraception. More than half use modern and traditional methods. IUDs are the most common method of contraception, used

by 42.9% of married women. Other modern contraceptive methods have only a limited number of users among married women, with contraceptive pills used by 4.9%, condoms by 2.4%, injected contraceptives by 3.9% and surgical sterilization (of the woman) by 0.2%.

The majority of women (98%) obtain contraceptives through the state sector, 55% from hospitals and 18% from prenatal clinics. The source of supply of contraceptives depends on which method is used by women. Thus, the majority of women using IUDs obtain them in hospitals (58%) or in prenatal clinics (19%). State pharmacies supply 26% of women taking contraceptive pills and 90% of those using condoms. Women taking contraceptive pills obtain them in prenatal clinics or polyclinics (24%). The distribution of contraceptives through the private sector is a relatively new phenomenon in Uzbekistan. According to data, private pharmacies supply 3% of women taking contraceptive pills. However, the private sector is gaining in importance.

The ecological problem is the problem of our age, which has arisen due to the intensification of humanity's impact on the environment. Ecological problems can be solved only with the conscious involvement of all people. Violence against nature, disturbance of the natural equilibrium and pollution of the environment may produce unexpected results. There is only one way of preventing ecological disaster and that is to protect nature.

In view of the immediate and negative influence of adverse ecological conditions on women's health, there is a need for work to educate the public continuously about ecological issues.

There is also a need to enhance the role of women in resolving the Aral Sea problems and increasing the activity of public women's associations in this regard, since it is women and children who suffer most from the consequences of ecological disasters.

In educating women about ecological issues, universal human and national values and priorities should be taken as a starting point. It is essential here to provide women with information about measures aimed at improving the situation in regions where the ecological situation is grave.

Women's health will be exposed to a reduced risk in a country with favourable ecological conditions.

4. Measures to prevent the spread of AIDS

One of the focal points of Ministry of Health activity is the fight against HIV infection and its prevention and treatment among both the adult population and children. A law on the prevention of AIDS was adopted in 1991, and decision No. 298 of the Cabinet of Ministers on measures to improve the prevention of AIDS on 26 June 1992. In compliance with this decision, an intersectoral programme was drawn up to combat AIDS in the Republic of Uzbekistan and a national coordinating council established to prevent and combat HIV/AIDS and other sexually transmitted diseases (STDs). There is a permanent staff on the national coordinating council to prevent and combat HIV. National tests to identify people infected with HIV have been developed and are successfully being

implemented. 15 centres to prevent and combat AIDS and 92 diagnostic laboratories are in operation.

The rise in the number of sexually transmitted diseases is a cause of great concern. In the period from 1987 to 1998, 51 cases of HIV infection were identified, 27 of whom were foreigners and 24 permanent residents of Uzbekistan. Eight of these died from AIDS and two emigrated to take up permanent residence in the Russian Federation. At the present time, there are 14 HIV-infected patients under medical observation.

There are centres for AIDS in each region, but no hospital beds available. Identified patients are sent to Tashkent where there is a centre for HIV-infected patients with hospital beds, supervisory staff, equipment and separate sets of instruments and drug inventories. There are also plans to set up a surgical department for HIV-infected patients.

4. Special programmes and projects in the field of women's health

The majority of charitable foundations in Uzbekistan specify that their aim is to improve women's health and maternity safety through special programmes. The charitable foundations include: "Soglom Avlod Uchun", "Kamolot", "Ekosan", "Makhallya", the Tashkent Centre for Public Education, "For an ecologically clean Fergana" and "Green Wave" (Samarkand). The programmes of such foundations are financed both from the state budget and from donations from various domestic organizations, sponsors and international organizations.

The international non-governmental foundation "Soglom Avlod Uchun" was established in 1993 with the aim of coordinating measures at the national and local levels to promote the establishment of a healthy lifestyle for the younger generation. The principal aims of the foundation are to support the health of the future generation, to protect motherhood and infancy, to contribute to the spiritual development and cultural and physical growth of the individual and to raise a healthy and balanced generation of citizens in Uzbekistan. The foundation also assists the state in supplying materials and equipment to children's institutions and medical institutions. The system of medical/social home visiting, developed and implemented jointly by the foundation and the Ministry of Health of Uzbekistan, is bringing about a reduction in morbidity among women.

The foundation has 14 departments and more than 100 support units which have furthered their activities in most of the districts of Uzbekistan. More than 45 pharmacies operate in remote districts of Uzbekistan under the "Soglom Avlod Uchun" banner. With support from the foundation, a medical and social centre has been established with 15 motorized ambulances equipped with sets of essential medical equipment. These mobile brigades, which include doctors from a range of backgrounds - a therapist, gynaecologist, paediatrician, medical social worker - survey women and children in remote and inaccessible districts of Uzbekistan. In 1997 and early 1998, brigades such as these travelled out to 100 districts and surveyed the population in 3,389 kishlaks and settlements which are home to about 5 million people. Among the population surveyed, 60% were women of childbearing age, children and adolescents and 6% were elderly women. Information about the findings of the medical and social survey was

passed to the Commission on Medical and Social Problems, the khokimiyats, the Ministry of Health, social security agencies and various foundations.

In addition to this, the foundation provides humanitarian assistance and is setting up a system of permanent care for families in high-risk social groups. The opening of the self-supporting "Oila" medical centre is planned. A national women's college has been established to train social workers for the foundation's support units. There is a particular focus on fostering multifaceted work with specific families. A family planning project is being implemented (jointly with "Features Group") entitled "Red Apple".

The "Soglom Avlod Uchun" foundation is implementing a programme to coordinate the production of children's food in Uzbekistan. A holding company, Bolalar Taomlari Holding, has been set up which has to produce 12,000 tonnes of children's food and more than 1,000 tonnes of dried school breakfasts annually. In the first six months of 1998 alone, the "Soglom Uchun" foundation provided charitable aid valued at more than 14 million som to various medical and social organizations and people in need. In special cases, funds are released for the treatment of children abroad.

The foundation is continuing work on a programme to improve the material and equipment base of obstetric and paediatric aid. Using funds allocated by local executive bodies, the foundation purchased medical equipment and instruments for, inter alia, the national "Mother and Child" centre, a children's psychoneurological dispensary, the Tashkent Regional Hospital, a children's dental polyclinic and the Centre for Eye Microsurgery.

The foundation has drawn up an integrated programme of support for gifted children, which aims to promote the all-round physical and moral development of the younger generation.

Together with foreign experts, the Ministry of Health and the Ministry of Social Security, the foundation has developed and commenced implementation of a programme on the problems of congenital developmental defects among the infant population of the Republic of Uzbekistan, the aim of which is to coordinate mother and child screening in Uzbekistan. Objectives of the programme are to prevent congenital developmental defects, to identify crude hereditary diseases and also to correct at an early stage inherited metabolic irregularities. More than 300 neonates were examined in 1997 and two confirmed pathological cases identified. Screening centres have currently been set up in the Tashkent and Andijan regions. There are plans to open a total of 9 regional screening centres throughout Uzbekistan during the course of the "Mother and Child Screening" programme. Each of them will comprise a genetic laboratory and counselling department including daytime in-patient facilities. The programme was ratified by a decision of the Government, dated 1 April 1998, on the establishment of a system of early detection of congenital and other diseases among neonates and pregnant women in order to prevent the birth of children disabled from childhood.

Projects on "Ecology in the Family", "The Preparation of Girls for Married Life" and "The Art of Communicating Mutual Understanding in the Family" will commence operating in 1999.

12. Measures to eliminate discrimination against women in other areas of economic and social life

1. Right to family allowances

The implementation of a uniform system of state welfare for families with children occupies an important place among the objectives of social policy pursued in Uzbekistan in support of women. This system includes three types of allowance:

- monthly allowance to care for children under 2 years of age;
- maternity allowance, as well as a one-off childcare allowance;
- monthly allowance for children under 16 years of age, dependent since January 1997 on gross parental earnings.

Over the period from 1997 to 1998, 25,304 million som was allocated for the provision of welfare to needy families with children. The coverage of families with children by these allowances lies at between 35% and 40%.

2. Obtaining loans, training and setting up a private business

During the years since independence, efforts have been made in Uzbekistan to establish conditions which will ensure that small- and medium-sized businesses can function successfully. These measures have been implemented in simultaneous pursuit of a number of objectives:

- establishment of the necessary legal base;
- privatization of state-owned entities and the formation of a multi-layered economy;
- safeguarding of macroeconomic stabilization;
- creation of a productive market infrastructure.

Based on present-day demands, many women's organizations are active in setting up small business structures in order to create self-employment and adapt to the new reality of the marketplace; worthy of particular attention in this regard is the activity of the association "Tadbirkor ayol", which has been operating since 1991.

The inclusion of women in socio-political activities is one of the most important means of achieving equal rights for women.

The legislation of Uzbekistan guarantees women and men equal opportunities in implementing their economic rights. In practice, however, women do not make as frequent use as men of the opportunities before them. The reasons for this are society's traditional views of the role-based functions of women and men.

13. Safeguarding the well-being of women living in rural areas

One of the principal objectives of the course the Government has followed during the period of economic reform has been the development of a radical approach to addressing the problems of rural life and safeguarding the socio-economic and legal guarantees of rural women.

A major focus of attention in Uzbekistan today is on providing economic support for women employed in the agrarian sector. To this end, legislation has removed all the obstacles which could have prevented women working in agricultural production from feeling that they were fully fledged owners of the land: long leases have been introduced with the right of inheritance and mortgage coupled with the unconditional right of people to benefit by the results of their own labour; a state social insurance mechanism that offers the full scope of social guarantees and access to the system of state social insurance and pension provision has been introduced for people employed on personal subsidiary plots.

In the period from 1993 to 1994, about 1 million hectares of agricultural land were transferred for management as personal subsidiary plots. As of 1 January 1997, there were more than 3.6 million personal subsidiary plots in Uzbekistan on which more than 1.4 million citizens of working age were employed and for whom this was the main type of employment. According to forecasts by the Ministry of Macroeconomic Statistics, the number of persons permanently employed on personal subsidiary plots will rise to 2.5 million by 2005 as a consequence of labour being released from large agricultural enterprises.

As a result of the policy being pursued, the self-employment of rural women has been safeguarded and a large number of rural women have become farmers and are actively working in the agrarian sector. The Government has established a series of economic benefits for them including, inter alia, the following: they are exempted fully from value-added tax and estate tax and are not liable to pay tax on any profit for a period of 2 years from the date of establishment.

Of the total number of members of the Association of Peasants' and Farmers' Enterprises, 211 are headed by women. In 1998, 9,770,000 som in loans were allocated from the Support Fund for Peasants' and Farmers' Enterprises to farming units managed by women.

It is possible that the reason lay in lack of skills and practical experience. In any case, women need help in order to be able to demonstrate fully their inherent abilities to adapt.

There are currently several programmes training people in skills for the marketplace and providing direct support, including technical assistance of all kinds, to small businesses. These programmes are being implemented as part of the activity of the National Chamber of Entrepreneurs and Producers, the Business Foundation, the Employment Promotion Foundation, the European Union's TACIS Programme, the Association of Businesswomen and other non-governmental organizations.

The programmes which target women are principally aimed at training women in skills for the marketplace and at clarifying their rights and opportunities. Special projects aiming to provide direct support in organizing a private business have, however, not yet been developed. One such project, UNDP's "Rural Credit" scheme, which focuses directly on providing credit for rural women, faces difficulties which are typical for all organizers of projects of this kind.

Obstacles to the external granting of credit are:

- an inadequately developed banking system;
- the inexperience of bankers in granting credit to physical persons;
- borrowers' shortage of collateral to secure a loan;
- the underdeveloped nature of the system of loan insurance;
- the requirement to issue short-term loans and to charge high interest on loans to protect the creditor against inflation.

Internal granting of credit also has factors curbing it:

- inflation hindering the accumulation of cash funds;
- restricted access of wide sections of the population to practically any kind of resources;
- inadequate market infrastructure;
- poor institutional development of non-governmental organizations providing support to target groups in need of credit.

14. Granting of equal rights to men and women with regard to legislation concerning legal capacity and freedom of movement

1. Legislative safeguarding of women's legal capacity under civil law

In accordance with general legislative principles, the legal subject status of citizens of the Republic of Uzbekistan may not be made dependent on their sex, race, social origin or religion.

In civil law, legal capacity is acknowledged equally for all citizens. The legal capacity of citizens begins from their date of birth and ends with their death. A person's capacity to act commences fully when he/she attains adulthood, i.e. reaches eighteen years of age. A citizen who has entered into marriage on a legal basis before attaining adulthood acquires the capacity to act in full from the date of entry into marriage. Capacity to act acquired as a result of a marriage being contracted is retained in full even in the event of the marriage being dissolved before the person has reached eighteen years of age.

In declaring a marriage invalid, a court may decide on the loss of full capacity to act by a spouse under the age of majority from a date stipulated by the court.

No one may be restricted in their legal capacity and capacity to act other than in cases and procedures established by law.

Non-observance of the conditions and procedures established by law for restricting a citizen's capacity to act render invalid an act by a state body stipulating the restriction concerned.

The full or partial denial to a citizen of legal capacity or of the capacity to act and other transactions aimed at restricting his/her legal capacity or capacity to act are invalid, except in cases when such transactions are authorized by law.

2. Legislative safeguarding of freedom of movement

In accordance with article 28 of the Constitution of the Republic of Uzbekistan, any citizen of the Republic of Uzbekistan is entitled to move freely within the territory of the Republic, to enter into and depart from the Republic of Uzbekistan, with the exception of restrictions stipulated by law.

Issues of freedom of movement are regulated to a greater or lesser extent by a number of normative acts. These include the decree of the President of the Republic of Uzbekistan of 23 September 1994 on the introduction of rules governing the passport system in the Republic of Uzbekistan, rules governing residence permits for foreign persons and stateless persons and certification of a stateless person (annex to the decree of 23 September 1994) and decision No. 143 of the Cabinet of Ministers of the Republic of Uzbekistan, dated 14 March 1997, under which citizens of CIS states are entitled to enter and travel around the territory of Uzbekistan without visas provided they have documents validating their identity or confirming their citizenship. In order to safeguard public order and security, the registration of citizens of foreign states staying without a visa has been introduced.

The agreement of the heads of the CIS states on the visa-free movement of citizens of the CIS around the territory of participating states, signed on 9 October 1992 in the city of Bishkek, grants citizens of the states which were signatories to the agreement the right of entry, departure and movement without visas around the territory of the states party to the agreement provided they have documents certifying their identity or confirming their citizenship.

Issues of internal migration are regulated by the following normative acts: the Employment Act of the Republic of Uzbekistan of 13 January 1992 (with amendments and additions introduced by Acts of the Republic of Uzbekistan of 7 May 1993, 6 May 1994 and 6 May 1995), Ordinance N 81-f of the Cabinet of Ministers of the Republic of Uzbekistan, dated 24 March 1995, on the creation of an interdepartmental commission on the selection of candidatures for sending citizens to work in foreign countries, the rules on procedures governing the intake and deployment of foreign labour in the Republic of Uzbekistan (annex N 2 to decision N 408 of the Cabinet of Ministers, dated 19 October 1995), rules on

procedures governing the occupational activity abroad of citizens of the Republic of Uzbekistan (annex N 1 to decision N 408 of the Cabinet of Ministers, dated 19 October 1995), decision N 408 of the Cabinet of Ministers of the Republic of Uzbekistan, dated 19 October 1995, on the occupational activity of citizens of the Republic of Uzbekistan abroad and of foreign citizens in the Republic of Uzbekistan, rules governing the National Agency for the Affairs of Migrant Workers attached to the Ministry of Labour of the Republic of Uzbekistan, annex N 1 to decision N 353 of the Cabinet of Ministers of the Republic of Uzbekistan, dated 14 July 1993, and decision N 353 of the Cabinet of Ministers of the Republic of Uzbekistan, dated 14 July 1993, on the regulation of labour immigration and emigration issues.

In 1996, more than 347,500 people were involved in migration in Uzbekistan. This figure had been more than 770,000 in 1992. At the end of the 1980s and in the early 1990s a significant increase in migration activity was recorded.

The last 5 years have seen a reduction in migration activity. For example, the number of migrants per 1,000 had been 37 in 1992, but was 15 in 1996. The figure for towns and cities was 26 and for rural areas 4. Of the total number of migrants over 16 years of age 36% were not married, while the corresponding figure for married migrants was 60%. The main reason for women to migrate is the personal motive of marrying. For men, the main reason for migrating is to relocate for work, or to move away from a complex family situation.

15. Safeguarding of equal rights in issues of marriage and family relations

The basic legislative act in the area of marital and family relations in the Republic of Uzbekistan is the Family Code, which entered into force on 1 September 1998.

Marriages are concluded in registry offices. The conclusion of a marriage is performed in the manner prescribed for state registration. The refusal of a registry office to register a marriage may be appealed against directly before a court or next higher authority. A marriage concluded in a religious ceremony is not deemed to have legal force. Upon entering into a marriage, the spouses may at their discretion choose the surname of one of the spouses as a shared surname, or the spouses may each retain their own premarital surnames.

Legislation specifies the following circumstances as obstacles to the conclusion of a marriage:

- marriage between persons, one or both of whom are already registered as married;

- marriage between relatives in the directly ascending or directly descending line, between full and half- brothers and sisters, and between adoptive parents and adopted sons/daughters;

- marriage between persons, one or both of whom are recognized by a court as not having the capacity to act as a consequence of mental disturbance (mental illness and dementia).

With the consent of the persons entering into a marriage, a medical examination is carried out, together with counselling on medical and genetic issues and family planning issues.

The Family Code also regulates the property relations of spouses. Property acquired by spouses during marriage as well as that acquired prior to registration of the marriage with the shared resources of the two spouses is their shared joint property, unless provided for otherwise by law or by a marriage contract. Spouses have equal rights of possession, use and disposal of their joint property. They also enjoy equal rights to property in cases where one of the spouses has been employed in managing the household, caring for the children or for other reasons did not have an independent wage or other earnings.

In addition to joint property, the spouses own property which belongs to each of them. Such property includes everything that belonged to them before they entered into the marriage, as well as property acquired during the marriage by way of inheritance, deed of gift and other gratuitous transactions and gratuitous grounds. Property of each of the spouses may be considered their joint property if it is established that during the marriage investments were made using the shared assets of the spouses or the assets of each of the spouses or the labour of one of the spouses which significantly increased the value of the property (major repairs, restoration, conversion, etc.).

One of the innovations in family legislation is the provision of the right to spouses to conclude a marriage contract in which they may mutually agree to specify the mode of property ownership as joint or separate or shared in proportions.

Under article 29 of the Family Code, a marriage contract is deemed to be an agreement by persons entering into marriage or an agreement by spouses which defines the property rights and obligations of the spouses in the marriage and/or in the event of its dissolution.

A marriage contract may be concluded both before state registration of a marriage and during a marriage. A marriage contract concluded before state registration of a marriage enters into force from the date of state registration of the marriage. A marriage contract is concluded in writing, is subject to certification by a notary and may be concluded both in respect of existing and of future assets of the spouses. Spouses are entitled to stipulate in a marriage contract their rights and duties regarding mutual maintenance, the responsibility for family expenses, participation in each other's incomes, the conclusion of property agreements with other persons and joint engagement in business activity and to specify property which will be handed over to each of the spouses in the event of dissolution of the marriage, as well as to include within a marriage contract other provisions concerning the property relations of the spouses. The rights and duties provided for by a marriage contract may be restricted to specified terms or may be set to depend on the occurrence or

non-occurrence of certain conditions. A marriage contract may not restrict the legal capacity or capacity to act of the spouses and their right to appeal to a court to protect their interests, nor regulate personal non-property relations between spouses and rights and duties of spouses in relation to children, nor stipulate provisions restricting the right of a needy spouse who is incapable of work to receive maintenance, nor contain other conditions which place one of the spouses in an extremely unfavourable situation or conflict with the norms of family legislation. A marriage contract may be amended or rescinded at any time on agreement between the spouses.

Spouses have equal rights with regard to the dissolution of a marriage. A marriage is terminated as a result of the death, or a court declaration of the death, of one of the spouses. A marriage may be terminated by dissolving it at the application of one or both spouses, as well as at the application of a guardian of a spouse considered by a court to be lacking the capacity to act.

Under article 39 of the Family Code a husband does not have the right without the consent of the wife to initiate proceedings to dissolve a marriage during the pregnancy of the wife or for a period of one year following the birth of a child.

The Family Code regulates issues of maintenance payment obligations of spouses and former spouses. Pursuant to article 117, spouses are bound to provide material assistance to one another. In the event of the refusal of such assistance, a needy spouse who is incapable of work has the right in court proceedings to receive maintenance payments from the other spouse if the latter is in a position to provide them.

Article 118 of the Family Code stipulates that the following are entitled to demand in court proceedings that they be provided with maintenance payments from a former spouse who has the resources necessary for this:

- a former wife, during pregnancy and for a period of three years from the date of birth of their shared child;

- a needy former spouse who is caring for a shared disabled child until the child reaches eighteen years of age or for a shared child who has been group 1 disabled since childhood;

- a needy spouse who is incapable of work and who became incapable of work prior to the dissolution of the marriage or during a period of one year from the date of dissolution of the marriage;

- a needy spouse who has reached pensionable age no later than five years from the date of dissolution of the marriage, where the spouses were married for a long time.

The Family Code also regulates the rights and duties of parents and children under the age of majority. It enshrines the following rights of children under the age of majority:

- the right to live and be raised in a family;
- the right to communicate with parents and other relations;
- the right to protection;
- the right to express their own opinion;
- the right to a name, patronymic and surname;
- the right to own property.

In accordance with article 62 of the Constitution of the Republic of Uzbekistan, parents are obligated to maintain and raise their children up to the age of majority. At the decision of a court, action will be taken to enforce the recovery of maintenance payments from parents who fail to discharge their duties to maintain their children voluntarily. Guardianship and foster parenting bodies are entitled to take legal steps to recover from the father or mother maintenance payments, to the extent prescribed by law, for the upkeep of children below the age of majority.